

De non temerandis Ecclesiis,
CHVRCHES
NOT TO BE
VIOLATED.

A Tract of the Rights and Respects
Due unto CHURCHES:

Written to a Gentlemen who having an appropriate parsonage imployed the Church to prophane uses, and left the Parishioners uncertainly provided of Divine Service in a Parish neere there adjoyning.

Written and first published thirty years since.

By

Sir HENRY SPELMAN Knight.

The third Edition with a new Epistle,
shewing the ill successe of Sacriledge.



OXFORD,
Printed by HENRY HALL Printer to the
UNIVERSITY. 1646.

Law Office
Jt Brit 7
"Spec" "
1646



4K

8147

LL
5145N
31 0 52
Law Ref.



The Printer to the READER.

A His small Tract, now above two yeares past, was by mee printed for that worthy Knight the Author thereof, with no intent to have it published: and being hitherto by mee suppressed from reprinting here at home; I find it to be of late time printed in Scotland (contrary both to the Authours and my expectation) and Dedicated by another man to the Bishops and Clergy there, and so made more publique, being of it selfe private, then was first intended: which (I suppose) had the Author knowne, or once misdoubted the sequel, instead of *De non temerandis Ecclesiis*, he would have studied another Title, *De non temerandis Scriptis alienis*: that his writings might not be imprinted, when Benefices are made proper. Wherefore finding many slips in it from his Copie, I have (as well in the right of the Author as of my selfe, to whom the right of the sole Printing belonged) caused it to be reprinted. And though at the time of the putting it to the Presse, I could not conferre with the Author, he being then in the Country, yet hath it pleased him since his coming home to adde something more unto it, as his leasure would permit him; which I have annexed to the end thereof. And thus have I attempted to make a private worke publique, lest the faults of other men, should unjustly be cast upon him, that deserved so well in so rare an Argument.



ANDER To the Reader.



ALL the vessels of the Kings House are not gold, or silver, or for uses of *Honour*, Some be common stuffe, and for mean services, yet profitable. Of the first sort, I am sure this *Tract* is not. Whether of the other or no, I leave that to thy judgement. To deale plainly, my selfe have no great opinion of it; as finding mine owne imperfections, and writing it onely upon a private occasion to a private friend, without curious observation of matter or *method*. But having also written a greater *worke* (much of the same Argument) and intending to publish, or suppress it, as I see cause: I thought it not unfit (upon some encouragement) to send this forth (like a *Pinnesse* or *Post of Advice*) to make a discovery of the *Coast*, before I adventure my greater *Ship*. If I receive good advertisement, I shall grow the bolder. Howsoever, take this I pray thee, as it is: and let my Zeale to the cause, excuse mee in meddling with matters beyond my strength.

H. S.

A

A Letter shewing the occasion of this Treatise to
the Worshipfull his most loving unkle FR. SA. & C.



Y good Vnkle, the speeches that past casually be-
twene us at our last parting, have runne often
since in my minde; and so (perhaps) have they
done in yours. You complained (as God would
have it) that you were much crost in the build-
ing you were in hand with, upon a piece of
glebe of your Appropriate Parsonage at
Congham. I answered, that I thought God was not pleased with
it, insomuch as it tended to the defrauding of the Church, adding
(amongst some other words) that I held it utterly unlawfull to
keepe Appropriate Parsonages from the Church. &c.

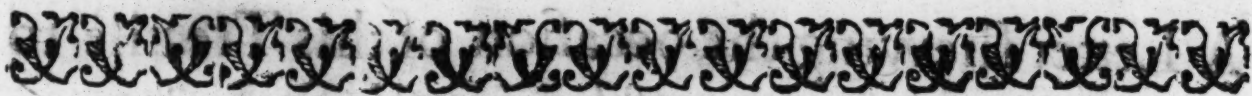
But our talke proceeding, I perceived that as God had alwayes
his portion in your heart, so in this, though it concerned your pro-
fit, you seemed tractable. It much rejoyced mee, and therefore ap-
prehending the occasion, I will be bold to adde a continuance
to that happy motion: (so I trust, both you and I shall have cause
to terme it) and besides, to give you some tribute of the love and
duty I long have ought you. Therefore (good Vnkle) as your
heart hath happily conceived these blessed sparkes, so in the name
and blessing of God, cherish and enflame them. No doubt they are
kindled from heaven, like the fire of the Altar, and are sent on-
to you from God himselfe, to be a light to you in your old dayes
(when your bodily eyes faile you) to guide your feet into the way
of peace, that is, the way and place from whence they came. So al-
waies I pray for you, and rest,

Your loving and
faithfull Nephew

Westminst.
Aug. 17. 1613.

HENRY SPELMAN.

To the Reader.



To the Reader.



Reader, this small Treatise was 30 years since written and published by my Father now deceased; his intent was to dissuade a prophanation of Churches, and to perswade a restitution of Tithes and Improvements to the Church; wherein although he was not so happy, as with Saint *Peter* at once to convert thousands, yet was he not with him so insuccessfull, as to fish all night and catch nothing; for some were perswaded with what is written, nor can I say that others believed not; but rather thinke, that like the young man in the Gospel, they went heavie away, because they had too great possessions to restore.

Mischiefes are with more ease prevented then cured, men sooner dissuaded from a reception, then perswaded to a restitution. While therefore the great dissolution of *Bishopsricks & Deanaries* is only threatned not acted, I have caused a reimpresion of this Tract, hoping that (as at first) it will find some believers, & the rather because written long since, by one, no *Leuite*, himselfe and children, as his Ancestours meere Lay-men, not having nor hoping for any Ecclesiasticall preferment, and therefore I am confident he took his motives solely from the dictates of religion and conscience, himselfe practising what he would perswade thee. I know thy argument for retaining Improvements, Abbies, &c. is, the Law hath made them Lay fees, thou didst legally buy them, and therefore maiest lawfully keep them.

I confesse our Statutes of Dissolution have changed the course of the fee, from a politick succession to a natural descent; and unhappily put a Lay-man into the Priest's place, But tell me if any Statute or humane Law doth or can take away the Dedication or the Consecration of Abbies, Monasteries, &c. discharge or annull the interest which God and his Church hath in them, and for which they were founded, as that holpitality, sicke and feeble men may be maintained, Almes given, and other charitable deeds be done, and

To the Reader.

and prayers be there said, as is declared in the Statute. 35 *Edw. 1.* 35. *Edw. 1.*
or can any Statute divert, and dispense with the many and heavy ^{cap. 1.} curies of the Church, upon the violators of Church Liberties, to which the whole Kingdome hath not onely cried Amen, but by Act of Parliament hath enjoyned the Bishops to curse the violaters. If these be not removed, then remaine they still dedicated, still consecrated to God; and then seeke and satisfie thy selfe, whether thou having the appropriation and Tithes but as the Abbot had them, and receiving the profit as the Abbot did, art not as the Abbot, tyed in Law and Conscience or one of them to performe the duties: for that he was, appears by the opinion of all Judges 18. *Eliz: Plowfol. 496.* where it is said by the Judges, that none is capable of an appropriation (for so the Law calls them) but onely bodies politicke not naturall, and the reason is because he that hath the appropriation is to be perpetuall incumbent, which a naturall body that must die could not be. And that body politicke (to have the rectory, the glebe, and tithes) must be Spirituall not Lay. For in that he is made Parson (saith the booke) he hath the cure of the soules of the Parishioners, and therefore must be Spirituall, for by the same reason that a patron cannot present a Lay-man to his Church, by the same reason a Lay-man cannot be an Appropriator; For they are both Parsons of the Church, the presented Parson for life, the Appropriator for ever. And therefore *Plowden* saith, that the Appropriator, be he Abbot or Prior &c. is as fully incumbent parson, as if he had beene presented, instituted and inducted: and as Parson shall have his Actions, and that he that is duely made Parson is thereby made possessor of the Parsonage: for the Spirituall Office attracts the possessions of the things belonging *Plow. fol. 509.* to the Office; and in that he is Parson, he receives the Tithes not as granted to him, but as things annexed to the Office of a Parson. And Tithes are frequently in our Common Law termed Spirituall things, because annexed to the Spirituall Office. By these Bookes and resolutions of the Judges it is cleare that the appropriatour was the incumbent Parson, and had the cure of the soules of the Parishioners, and that upon the presentation of the appropriatour or upon the dissolution of the Abbey, the Church became void, and presentative, as other Churches upon resignation or death of the incumbent. *Fol. 33. 35.*
For appropriations (as thou now seest) were but Parsonages
with

To the Reader.

with cure of soules, annex and appropriated to a particular Abbey or Religious house. For when their Fraternities became numerous, & their annuall charge greater then their yearely revenue: providence to provide for their family made them thinke how to increase their in-come; And themselves being patrons of many rich parsonages, obtained severally (as occasion served) licence from the King, and consent from the Ordinary to annex or appropriate that parsonage to their Abbot and his successors for ever, whereby they became perpetuall incumbent parson, and anciently did duely officiate the Cure by one of their Fraternity, untill the Statute of *Rich. 2.* prohibited the appropriating any Church, unlesse a Vicar be conveniently indowed by the discretion of the Ordinarie to doe divine service, and keepe hospitalitie; and the Statute of *4 Hen. 4.* ordained that no Religious (as Monkes and Fryers were) should be made Vicars to any Church appropriated, but Seculars (as our Ministers now be) canonically instituted and inducted. Upon these Statutes it will concerne the owners of Churches appropriated since *15 Rich. 2.* to see, that out of the profits of the Church a convenient summe of money be yearely paid to the poore parishioners, and a Vicar indowed as the Statute of the *15 of R. 2.* appoints, or else the Stat. *4 H. 4.* avoids the appropriation, and then the Church becomes againe presentative,

But some will object, that impropriate Churches with their oblations and tithes (the fat of Impropriations) are made Lay and Temporall, and as Lay and Temporall things disposable at the will of the owner: a doctrine which so neerly concernes the estates and livelihood of so many men in this Kingdome as I shall not averre the contrary, lest some *Demetrius* with his fellows tumult about it; yet give me leave to offer thee some opposite considerations, but leave them, and their result to thy judgement and conscience.

Consider first, that while God saith, that ye have robbed me of my Tithes and Offerings, God claimes the title and interest of them to be in him, not in the Priest nor in the Levite, they being but the *usu-fructuarii*, God the owner.

Remember too, that our Statutes have declared Tithes to be due to God and holy Church, and thy with-drawing thy Tithes a neglecting thy dutie to Almighty God, and then consider that if the Tithes be Gods, it matters not whether his title be by Divine right

(as

15. Ric. 2. c. 6.

4 H. 4. c. 12.

15. Ric. 2. c. 6.

4 H. 4. c. 12.

27. H. 8. b. 20.

32. H. 8. c. 7.

To the Reader.

(as our Law and Lawyers) not to presse that with the resolution of Councils and opinions of Canonists, Fathers, and Divines, quoted by the Author) have taken them to be, or by humane Constitution; for what Statute, what Law, can conclude God, or bind his right? Then weigh how the King (from whom thou claimest) had the Tithes thou hast, and to what intent he had them.

The Statute of 27. H. 8. gives the King the smaller Abbies and houses of Religion with their Appropriations and Tithes. To the greater, H. 8. makes his title by grant and surrender of the Abbots, Priors: which betwene the 27. and 31. H. 8. had been laboured by Cromwell; with some he prevailed by intreaty and good Annuities; with others by the Kings power & Sword: for the Abbots of ^b *Glas-* ^b *R. Whiting.* ^c *Hugh Fair-* ^d *John. Bech.* ^e *Goodw. 167.* *senbury, Reading, & Colchester,* whose innocencie had made them regardlesse of Threats, and their piety abhorre rewards to betray their Churches, were therefore saith *Goodwin* tendered the Oath of Supremacie, which they refusing, are, as enemies to the State, condemned and hanged; others terrified by their examples, leaves all to the dispose of the King, who not resting on that title, procures the Statute of 31. H. 8. c. 13. which reciting (how truly doest thou judge) the *Grants, Surrenders, &c. to have beene made freely, voluntarily, and without compulsion,* gives all the Religious houses, with their appurtenances and Tithes, to the King his Heires and Successors (as the Statute 27. of H. 8. did) *in as large a manner as the Abbot had the same to dispose thereof at his will and pleasure (but) to the honour and pleasure of Almighty God:* nor is there any one word either in this Statute of the 31. or that of 27. H. 8. to alter or change the primitive nature and use of Tithes. And therefore the Statute of 33. H. 8. calls the withdrawing of thy Tithes, whether appropriate or impropriate, a neglecting of thy duty to Almighty God, thereby inferring, that the Tithes are still due to God.

Consider that thy impropriate Tithes are yet even in Law called Ecclesiastick, and solely recoverable in the Ecclesiasticall Courts; and *status sui regal.* Said that the King was not Supream Head of the Church. And upon this were *Fisher* Bishop of *Rocheſter*, *Sir Thomas More*, *Exmer*, and divers others indicted, convicted, and executed, by vertue of a Commission of *Oyer and Terminer*, directed to *Audley* Lord *Chancellour*, the Duke of *Suffolke*, and other Lords, and all the Judges, as appears by the Reports under the hand of *Sir John Spelman*, who was then a Judge of the Kings Bench.

To the Reader.

2. Edw. 6. that the Statute of Ed. 6: gives one and the same remedy both for the presentative and impropriate Tithe, and therefore must make both, or neither, Lay and Temporall.

Inquire too, whether the Impropiator hath the *Cure of soules*, the Abbot had, (especially where no Vicar is endowed) if thou dost find he hath not, know who hath, for the sheep must not be without a shepherd, nor he without the milke of the flock.

Learn by what Statute, what Law, the Impropiator, if freed of the Cure, is yet tyed to repaire the Chancell, as the Abbot did, and as the Abbot (where no Vicar is endow'd) tyed to provide one to officiate Divine Service and Sacraments. If impropriate Tithes be temporall things, why doth the Impropria or in all Courts make his title in the Churches right? if Lay & Temporall, why weare they these Ecclesiastique badges?

I cannot for my part think that Statutes which declare Tithes to be *due to God and holy Church*, which direct (among other things, even impropriate Tithes) to be disposed to *the pleasure and honour of Almighty God*, which calls the withdrawing thy impropriate Tithes, *a neglecting of thy duty to Almighty God*. I cannot think that these Statutes did either alter, or intended to alter the Ecclesiastique primitive nature and use of Tithes, and the rather because I find that the Lawyers, who likely had the penning of them did hold Tithes due by divine Right & annex to the spirituall office of the Parson, & consequently not alterable. And then thou that justly condemnest this Parson, or that Vicar, for sometimes neglecting his duty, think with thy selfe what account will be exacted of thee, that receivest the same Salary and wages with the Parson and Vicar, yet dost totally neglect the duty & mispendest all the Church Revenue upon thy own private occasions, while the Canon of the Apostles would not permit the Bishop to challenge ought to himselfe, or to *dispose among his kindred or friends*, but to *administer them, Tanquam Deo intuente, to the poore and Fatherlesse*. And consonant to that is that in *Caudries* case in the 5. Report, where the Abbot might not *dispend the free almes of the Abbey* (much lesse thou Tithes) upon his secular friend, but in *hospitality upon the poore, the Fatherlesse, the Stranger, &c.* and if so, then the Abbots were but Gods Trustees, & as his Almners dispenced them to Gods Pentioners, the poore, the Fatherlesse and Widow, And doe thou inquire how thou hast them

39. Canon.

f Cook 5. Report fol. 11.

g Free almes were the rents and revenues, as appears by the Statutes

E. 1. 24. 14. &

3. 17.

To the Reader.

them and ^b oughtest to dispose them. For I feare that at the last and generall Audit, thou wilt find them great Cloggs to thy accompt, and in the *interim*, ruines to thy Family; yet I doubt not but thou wilt find probable reasons as well as Law for retaining of Impro-priations and Abbies which thou hast bought, or thy Friends left thee: yet read this ensuing Treatise, the reasons may perswade thee, if not, with me view the insuccesse of Sacrilegious persons.

But before thou canst judge of Sacrilegious persons, thou must know, what is Sacrilege, for such there is, else the Apostle erred, who whilest thou saist, *that thou shalt not commit Idolatry*, upbraids thee with, *and committest thou Sacrilege?*

Sacrilege is the diversion of holy and Ecclesiastique things to prophane and secular use: as *Simeon* and *Levi*; Theft and Sacrilege, be evill brethren, *Theft* robbes thy Neighbour, *Sacrilege* thy God. Tithes are so undoubtedly Gods inheritance, as though some have curiously disputed his title to thē, as how due; yet none but the *Impropriator* denie his right to them, as not due: but *Tithes* & *Impro-priations* are the subject of the ensuing *Discourse*, therefore I will offer thee my conceipt, how *Abbies* and *Monasteries* are conse-crated to God, and ought not to be prophaned by secular use.

It is noted that in all *Ages*, in all *Religions*, the Temples of their Gods were accounted holy, and not to be prophaned by secular ser-vice; and this being so universally observed in severall *Ages*, in differing *Empires*, contrary *Religions*, it must needs be by the com-mand of the universall *Monarch* God.

Reason taught a Heathen to conclude. *Quod ab omnibus gentibus observatum est, id non nisi à Deo sancitum est*. Did God by the Law of Nations teach *Heathens* to keep the Temples of their false Gods as sacred? And doth he not by the same Law command thee a Christi-an to preserve his own holy and unviolated?

The *Devil*, that (to his greater condemnation) best knowes God, and is therefore his best *Counter.fait*, gets himselfe among the *Hea-then Temples*, *Priests*, *Oblations*, and to these the *Attributes* of holy, and sacred; he knew them to belong to God and his Church, and therefore, to be like the most high, usurpes them to him and his.

The *Devil* knew that the *Temple of God* which sanctifies the gold that is upon it, must needs be *holy* it selfe, & sanctifie the ground on which it stands, & therefore the *Devil* taught his Disciples that

b Sir Edward Cook, in his Mag. Charta f. 649. in his Comment upon 2. Edw. 6.

touching tithes quotes the Text in *Deut. 14.*

And the *Levite* shall come, and the stranger, the fatherles, and Widow, within thy

Gates shall cate thereof. Here is

(saith he) the right use

where to Tithes

should be im-

ployed, and surely had they

been Lay or Temporall,

then they, no more then o-

ther tempo all things are tyed

to Ecclesi-

stique uses.

And he wrote long after our

Statutes, and best knew the

power and ope-

ration of them.

To the Reader.

doctrine, *Licet ades sacra Claudii Caesaris collapsa sit, religio tamen occupat solum.* Profit could not tempt Trajan to permit publique bathes to be made where once *Casars* Temple stood, the *holy ground* must not be prophaned by secular imployment. Yet thou a Christian dost not spare the very *Temple of God* himselfe. Shall it not (in this point) be easier at the last day for Trajan, then for thee? for if he a *Heathen* thus esteemed a *false God*, that must come to be judged, how would he have revered the *true and ever living God* (had he, as thou) knowne him? but this onely argues, and doth not prove a *sanctity in Temples*.

Levit. 27: But God himselfe hath told us in *Leuiticus*, that *Lands and houses* may be sanctified to the Lord, but they are redeemable at the value estimated by the *Priest*, and a fifth part more. But God there tels us that things devoted are most holy to the Lord, and not redeemable; the reason given by Divines is, *because it was given with a Curse*; & if that be the reason, doe thou then peruse the *Charters of Foundations of Monasteries and Abbies*, and tell me if they be not devoted and most holy to the Lord. And then, if not redeemable, much lesse I thinke to be taken from the Church; without any satisfaction, or consent of the *Priests*.

The *Charters* were usually in these words, *Concessi Deo & Ecclesia &c. offero Deo &c. confirmavi Deo & Ecclesia*, and these Grants have in our *Common Law* beene adjudged good and valid; our much revered *Magna Charta*, so oft confirmed by Parliament, beginneth with *Concessimus deo quod Ecclesia Anglicana libera sit, &c.* and Sir Edward Cock in his Comment upon it, saith, *What is granted for God, is in Law deemed to be granted to God, what is granted for his honour, what for maintenance of his service of his Religion, is granted to and for God, and that anciently these Grants were good in Law.*

Cook. Magna
Charta. fol. 2.
quod datum Ec-
clesia datum
deo.

Lib. 6. f. 176.
cap. 285.

The Capitular of Charles the great saith, that the *Dedications* were on this sort, the *Founder* mentioning in a writing all he intended to give, and holding it over the *Altar*, spake thus to the *Priest*: *I here give unto God all things contained in this writing, for the remission of my sinnes, &c. and for them for whose good God will accept them, and by these to promote God's service in sacrifice in Lights, in Sustentation of the Clergy, the Poore, and in all things honourable to God, and profitable to his Church, and if any man shall take these away (which*
God

To the Reader.

God forbid; let him for his Sacriledge give a most strict account to God, to whom they are now dedicated, now devoted. * Ezra. 6. 12.

The Founders of Religious houses, in the conclusion of their Deed, following the example of * Darins, imprecate a most heavy Curse on them that violate or withdraw their gift, † *Venientibus contra hac & destruentibus ea occurrat Deus in gladio ira & furoris & vindicta & maledictionis aeterna.* And the God that caused his name to dwell there, destroy all Kings and people that put to their hands to alter or destroy this house of God.

And here is to be remembred that Abbies and Monasteries had in them Churches and Chappels which had from the Bishops and Clergy a more particular dedication & consecration, then from their Founders, the Bishop using therein much Almes, many Prayers, and some decent Ceremonies, and after, even to the Dissolution, the Sacraments, were there constantly administred, and our Ancestors had so reverent an esteeme of Churches, as following the example of Christ, would not permit buying and selling in the Church-yard, but by Parliament prohibites it. † *apostolatus Benedictum. in Angl. Append. secund. f. 60. 13. E. 1. cap. 6.*

Now consider, that if under the Leviticall Law, which in this was morall and not taken away, the single act of devoting thy house to the Lord, conferred such a Sanctity, such a Holinesse upon it, that it could never be redeemed, but at a fifth part more then the worth, and that valued by the Priest, shall the Founders gift, (which was the dedication in the Leviticall Law) the fervent Prayers and Intercessions of the Clergy and Church, the long and frequent administration of Service and Sacraments under the Gospell, shall these adde nothing of Sanctity, nothing of Reverence to it? But even where thy Fathers and Grandfathers for many hundred of yeares reverently on their knees received mystically the Body and Bloud of Christ, there thou (to avoid superstition) dost sacrilegiously feed thy Oxe, and thy Asse, and not permitting Christ, as at first, to lye betweene them, but more uncivill then the Jewish host, turnest him out to make roome for them.

But thou wilt say these Abbies, these Monasteries were Founded and dedicated by Idolatrous Persons, Consecrated by Popish Bishops, and for superstitious uses, and therefore not sacred, nor acceptable to God.

For the unworthinesse of their Persons, and their act, consider Corah and his company, who as God himselfe saith, were sinners against their owne Soules; nor canst thou thinke the sin small, where

To the Reader.

thou findest their *punishment* so great; for God smites them not as *Uzziah* with *leprosie*, nor with *withered hands* as *Ieroboam*, nor with *death* like *Uzza*; but to make their *punishment* answerable with their *offence*, God doth a new thing in *Israël*, fire from above consumes these, and the earth from beneath, swallows up those men; and although *Moses* be commanded to scatter the fire (for *Civil Magistrates* may quench the fire of *Rebellion*) yet *Aaron* the Ecclesiastique hand must first gather up the *Censers*, for they were *holy*, and God gives there the reason why *holy*, for saith he, *they offered them to the Lord*. And if so bad men by a single, and so bad an act, did consecrate their *Censers* to the Lord, needs must the *Pious* gift & *charity* of the *Founders*, with the often *Prayers* and *Sacraments* of the *Church* daily used for many years, needs must they sanctify the *Church* or *Chappell* where used.

Exod. 3.

Ioshua 5. 15.

While God spake once from the *Bush* to *Moses*, he Commands him *not to draw nigh*, and yet at that distance bids him *put off his shoes for the ground was holy*. And *Ioshua* must be barefoot while he spake with the *Captain of the Lords Host*, because the ground was holy.

Consider then, that if the places be *holy*, where God spake once to *Moses*, once to the *Captain of the Lords Host*, needs must the *Church* or *Chappell* be *holy*, where God hath so often spoken to thy *Fathers* in *Sacraments* and *Sermons*, and where they to him so often in *Prayers* and *Thanksgiving*.

If publique *holy actions* doe not sanctifie the place where acted, *David* (though he would not offer to God that which cost him nought) needed not to buy that which he did not offer, the *Threshing floore* of *Arauna*, it had been sufficient for *David* to pay for the *oxen* and *threshing instruments*, that must be burnt not restored. The *floore* remained, but not for *Araunas* use, (saith a Learned *Divine*) for by *Dauids* Sacrifice, the *floore* was devoted and sanctified to the Lord, and might not returne to worldly imployment, which *David* knew, and therefore bought it.

But thou wilt say, these are *Dedications* and *Sanctions* under the *Law*, not under the *Gospel*. 'Tis true these were *Sanctions* under the *Law*, and were *Morall*, not *Ceremoniall*, and therefore remaine under the *Gospel*. Christ that sends thee from the *Altar*, to be reconciled to thy *Brother*, commands thee to leave thy *Gift* behind thee at the *Altar*, and the reason given by *Divines* is, because thou hast devoted

To the Reader.

voted it to the Lord, the gift remains holy, and might not returne to the world, for though thy person be not accepted, yet thy gift by thy devoting, is holy to the Lord, as were the Censers, in the case of Corah.

Thou seest that Christ, who would not Peter should strike to rescue him, his Master from violence, yet he himselfe strikes to free the Temple from Sacriledge, & thou canst not think that Christ stroke this day to preserve, what he would abolish the next day, the Sancti-
on of the Temple.

Doe but consider that of Ananias and Saphirah, and thou wilt conclude, that the Devoting any thing to God, is under the Gospell, a sanctifying it to the Lord, and the withdrawing it, must then be Sacriledge, which was Ananias sinne, agreed by all Divines; and Jus-
nius in his notes upon it saith, *pradium Consecrassent Ecclesia*, they had Consecrated it to the Lord; to conclude, thou canst not violate or irreverently use a Church or Temple, but thou must disrationate S. Pauls argument, who diswades the pollution of thy Body, because it is the Temple of the Holy Ghost.

Thou mayst observe our Law bookes to have held Tythes due by divine right, our Parliaments in their Statutes too, have acknowledged Tythes due to God and holy Church, & this both before & after the Statutes of Dissolution, & that at this day the Law reckons tythes of impropriate, as well as of presentative Churches to be Ecclesiastique things. & if this will not perswade a restitution of such as thou hast, yet let it diswade a reception of more: For I know thou wouldst not buy a Title litigious between thee and thy neighbour; and why wilt thou that which (at best) is questionable between thee and thy God, that must judge the Title, and in a Court where thou canst have no advocate but his Sonne, whom thou wouldst disinherit.

But the destruction of Corah perswades more with the Israelites, then the soft voice of Moses, and such Oratory may take thee, Hell hath frightened some to Heaven; view then the insuccesse of Sacrilegious persons in all ages, that will prevaile with thee, for had Corah and his Complices been visited after the visitation of other men, thou and I, nay perhaps the whole Congregation of Israel, would have beleived what they said is truth, it sounded so like reason, & approved what they did as pious, it looked so like Religion, but their end
otherwise

To the Reader.

otherwise inform'd them, and better instructed us : I will not trouble thee with presidents of forraign Nations, as *Bohemia*, the *Palatinate*, and *Germany*, where under colour of *Reformation*, the ruine of *Monasteries*, and *Religious Houses*, mightily enriched for the present both publique & private *Coffers*, and now the *Ravenous War* hath both exhausted the *wealth*, and almost *unpeopled the Countrey*; *hoc omen Deus avertat*. I will therefore tye my selfe to our own *Country*, and *story*, unhappily plentiful in miserable examples.

I will begin with *William the Conqueror*; in the first yeare of his raigne, he fires by his *Normaines*, S.^r *Peters Church* in *Yorke*. In the 4th, he rifles the *Monasteries*, and about the 18 yeare of his raigne destroyed 36 *Mother Churches* in *Hampshire*, to make his *New-Forrest*, takes all their *Plate*, all their *Treasure*, even the *Chalices*. In the 13 yeare of his Raigne, the *Sonne* out of his own lownes (*Robere of Normandy*) Rebels against him, and in *Bataile* beats his *Father* from his *Horse*, wounds his *Person*, and (which to him is worse) his *honor*. About the 19 yeare, *Richard* his second (but first beloved) *Sonne*, sporting in his *Fathers New Forrest* is there strangely killed by the goaring of a *Stag*, saith *Speed*, *Camden* by a pestilent *Ayre*. In the 20 of his raigne, he burnt the *City* of *Maunts*, & *Church* of *S. Maries*, with two *Anchorites*; and coming too nigh the flame, the heat of the fire and his *Armes* attracts a disease, and his *Horse* leaping with him, breaks his *Riders belly*, whereof he dies, and his *Body* (forlaken of his *Nobles* and *Servants*) lies three daies neglected; after by the courtesy of a *Country gentleman*, his *Corps* is brought to *S. Stephens Church* in *Cane* in *Normandy*, but in the passage the *Town Fires* and his bearers leave him, and run to quench that, so that dead he goes not quietly to his *Grave*, whither brought at last is there denied *Buriall* by one who claimed the ground as his inheritance, forced from him by the *Duke*, all *Ceremonies* stay untill a composition was made, and an *Annual* rent (saith *Daniell*) paid for his *Grave*, in which before he could be laid, his body swelling, burst to the great annoyance of the *Company*, he is offensive dead and living, afterwards the *Towne* being taken by an *Enemy*, his *Bones*, as unworthy to be *inshrined* in the *Church*, are digged up and scattered like *Chaffe* before the winde, death denies him rest.

His *Grand-child Henry* the sonne of *Robert*, hunting in the *New-Forrest*, is struck through the *jawes* with the bough of a *Tree*, & like *Abalom*

a Holl fol. 7.

b Holl fol. 8.

c Speed f. 429.

Camb. Brit.

259.

d Holl. 12.

Speed. 428

Matth. Par. fol.

10.

e Speed 429.

f Camb. 259.

g Holl. 14.

Speed. 431.

Matth Par.

fol. 13.

h Speed. 434.

i Daniel. 48.

k Speed. 429.

To the Reader.

Abfolam, found hanging in the thicket of an Oake. His Grandchild *William* (second Sonne to *Robert Duke of Normandy*) was made Earle of *Flanders*, and in a Warre against his Uncle *Henry the first*, received a small wound in his hand, and thereof dyed the last of the *Conquerours* Grand children by his eldest Sonne.

Robert of Normandy, the *Conquerours* eldest son, disinherited by his Father, is taken prisoner by his brother *Henry the first*, who puts out both his Eyes, and after 26 yeares imprisonment, *Robert* dyes starved in the Gaole at *Cardaffe*.

William Rufus succeeded his Father in his Crowne and Curse, in his first yeare his Nobles^e *Rebell*, in his sixth, a great *Famine* rageth, and such a mortality, as the quicke can scarce bury the dead. About the 19 yeare of his Reigne, his *Treasury* is stored by sale of *Chalices* and *Church Jewells*. In his 13 yeare, while *Sir Walter Tirrel* shoots at a Deere in the *New Forrest*, he kills the King, (in the same place where a Church stood) who dyes (beast like) not speaking a word.

Mills saith, the Arrow glanced from the Deere, *Speed*, and *Matthew Paris*, from a Tree, and killed the King, but both agree his death to be (as his Fathers) by accident. He dead, his followers (as did his Father's) leave his body and fled; his Funeralls are as his Fathers interrupted, for his Corps were laid in a *Colyers Cart*, drawn by one silly leane beast, (saith the Book) in his passage the Cart brake in foule and filthy wayes, leaving his body a miserable spectacle, pitifully goared, and filthily bemired, so, as his Father, he passeth not quietly to his Grave; yet at last he is brought bleeding to *Winchester*, and there buried unlamented. *Speed* saith his bones were after taken up and laid in a Coffer with *Canutus* his bones; but there they rest not, for in *December, 1642*. *Winchester* being entered by the *Parliament forces*, the *Organes*, *Windowes*, and *Chests*, wherein the bones of many our ancient Kings were preserved, were by the fury of the *Souldiers* broken, and among others his, & as his Fathers, scattered upon the face of the Earth, as not worthy buriall. And this was the third of the *Conquerours* Issue that was murdered in the *New Forrest*, where the *Doggs* licked the blond of *Naboth*, there they must lick the blond of *Ahab*, where the *Sacriledge* was committed, must be the place of the punishment.

Hugh Earle of Shrewsbury 11. *Wil. Rufus* commanding against the

Speed. 462.

Mat. Par. 71.

Milles lat. 77.

m. Strom.

n. Mar. Par. 73.

Speed. 467.

o. Speed 440.

Mat. Par. 14.

p. Holl. 22.

Speed 445.

q. Speed 448.

Mat. Par. 54.

Cervus magnus

cum ante cum

(regem) transi-

ret, aut Rex cui-

dem militis.

Wal. Tirrel, 11.

he Diabole Ex-

ist ergo telum

volatile, & ob-

stante arbore in

obliquum reflex-

um faciens per

medium cordis

sauciavit qui

subito mortuus

corruit.

r. Mat. Par. 16.

Speed 449.

Speed 16.

To the Reader.

the *Welchmen* in *Anglesey*, kennelled his *Dogg* in the *Church* of *S. Frydance*, where in the morning they were found *madde*, the *Earle* shortly after fighting with the *enemy*, was with an *Arrow* shot dead in the eye, the rest of his *body* being strangely armed.

1. Holl. 23.

Henry the first, the *Conquerours* fourth *Sonne*, is his brothers *Successour*, he had severall *Children*, whereof his eldest *William* with his brother *Richard* and Sister *Mary*, in a calme day are drowned by the *English* shore, himselfe eating *Lampreis* dies on a *Surfet*, and being opened, the stinke of his *body* & *braines* * poison his *Physicians*, one other of his *Daughters* mournes her *virginity* in a *Nunnery*, & dyes *Childlesse*, and in the next *Generation* his name is forgot, *Plantagenet* takes the *Crowne*.

2. Mat. Par. fol. 69.

Speed 459.

Holl. 43.

* M. Par. 73.

Speed 467.

x. Fol. 20. in
margine.

It is observable, that the *Conquerour*, all his *Sonnes*, and all their *Sonnes*, dyed *untimely deaths*, (unlesse thou reckonest the *Lamprey Surfet* of *H. 2.* to be naturall) & what the *Au hor* notes of *Nubec.* and *H. 8.* is also true of *William* the *Conquerour* (for in the 68 after his destroying *S. Peters Church* at *Yorke*, which was in his second yeare) his *Name* is extinct, and his *Kingdome* is devolved to another *Nation*, *Plantagenet* takes his *Crowne*, & upon search (I feare) thou shalt finde very few *Families* (among the many thousands) in *England*, who enjoy their *Sacrilegious* possessions of *Abbies* and *Impropriations* beyond the 68 yeare, and very many that hold them not halfe the time, and none almost but with some notable *misfortune*.

y. Speed f. 46.
that the Nor-
man time held
69 yeares.

2. Holl. 194.

Par. f. 287.

I cannot omit the *Sacrilege* and punishment of *King John*, who in the 17 yeare of his *Reigne*, among other *Churches* rifled the *Abbie* of *Peterborough* and *Croyland*, and after attempts to carry his *sacrilegious wealth* from *Lynne* to *Lincolne*, but passing the *Wash*, the *Earth* in the midst of the *waters* opens her mouth, (as for *Corah* and his company) and at once swallows up both *Carrs*, *Carrage*, and *Horses*, all his *Treasure*, all his *Regalities*, all his *Church spoyle*, and all the *Church spoilers*, not one escapes to bring the *King* word; the *King* himselfe passes the *Wash* at another place, and lodges that night in *Swinsteed Abbey*, where the *nemes* and sick-nesse (whereof he dyed) together met him, some say he was poisoned by a *Monke* of *Swinsteed*.

a. Mat. Par. fol.
287. nec pes u-
nus e. vasit qu-
regica sum n-
stam.

b. Mat. Par. fol.
687.

William Marshall *Barle* of *Pembroke*, the great *Protector* both of *King* and *Kingdome*, having in the *Irish warre* forceably taken from

To the Reader.

from the Bishop of Furnes two Mannors belonging to his Church, was by him much solicited to restore them; but the Earle refusing, was by the Bishop excommunicated, and so dying, was buried in the Temple Church at London. The Bishop sues to the King to returne the Lands, the King requites the Bishop to absolve the Earle, and both King and Bishop goe to the Earles grave; where the Bishop in the King's presence used these words, *Oh William, which lyes here snared in the bonds of Excommunication, if what thou hast injuriously taken from my Church, be with competent satisfaction restored either by the King, thy heires, or friend, I then absolve thee; otherwise I ratifie my sentence, Ut tuis semper peccatis involutus in inferno manens condemnatus.*

The King blames the Bishop's rigour, and perswades the Sonnes to a restitution; but the eldest William answered, He did not beleive his Father to have got them unjustly, because possessions got in Warre become a lawfull inheritance, and therefore if the dotting old Bishop hath judged falsely, upon his owne head be the curse, my Father dyed seized of them, and I lawfully inherit them, nor will I lessen my estate.

Which the Bishop hearing, was more greived at the Sonnes contumacy, then the Father's injury, and going to the King, told him, Sir, what I have said, stands immutable; the punishment of Malefactours is from the Lord. And the curse written in the Psalmes, will fall heavy upon Earle William, in the next Generation shall his name be forgot, and his sonnes shall not share the blessing of increase and multiply, and some of them shall dye miserable deaths, and the inheritance of all be dispersed and scattered; and all this my Lord, O King, you shall see even in your dayes.

With what spirit the Bishop spake it, doe thou judge. for in the space of 25 yeares, all the five Sonnes of the Earle successively, according to their Birth, inherits his Earldome, and Lands, and all dye Childlesse, the name and Family is extinct, and the Lands scattered and dispersed; & that nothing might faile of what the Bishop foretold, Richard his second sonne is sore wounded, and taken Prisoner in Ireland, and there dyes of his hurts.

Gilbert the third sonne justing at Hertford, breaks the Reynes of his Bridle, and falling from his Horse one foot hangs in the stirrop, and he thereby dragged about the field, till rent and torne, and so by a miserable death satisfied the Curse.

c Math. Par.
400, & 403.
d Mat. Par. fol.
163. An. Dom.
1241.

To the Reader.

But these examples are at too great a distance and not to be discerned, but through the perspective of *Ancient History*, I will therefore come nigher and view Cardinall *Wolsey*, who from a meane and obscure root, grew to *over-shadow* all the subjects of *England*; eminent for Wit as Learning, great in the esteeme and favour of his *Prince*, laden with *home* and *ferraigne dignities*, full of *wealth* as yeares; in brieft he was, while free from *Sacriledge*, the great and succesfull *Counsellour* of his *Prince*, and indeed the *Catalogue* of humane blessings: but about the 17 yeare of *Henry* the 8. *Wolsey* by consent and licence of the *King* and *Pope Clement* the 7. dissolves forty small *Monasteries* in *England*, to erect two *Colledges*, the one in *Oxford*, the other in *Ipswich*; thou and I may think this a work of *piety*, to destroy the poor *Idolatrous Cels* of *lascivious* and *ignorant Monkes*, to erect *stately Colleges* for learned and industrious *Divines*, this *God* must accept, and prosper both the *Act & Actor*. No, thou art deceived, he that would not that thou shouldst doe evil, that good may come thereof, will not accept an *offering* commenced by *Sacriledge*, in the ruine of 40 *Religious Houses*; *Wolsey* layes the foundation of his *Colledges*, but never sets up their *Gates*.

e Holl. f. 891.
Stow.
Good. f. 67. About three yeares after, the *King* possesseth his *Pallace* at *Westminster*, (*Whitehall*), the *Great Seale* is taken from him, his great *wealth* seised, and himselfe confined to a poore house at *Affure*, where he remained a time (saith *Goodwin*) without necessities, driven to borrow *furniture* for his house, money for his expences, so as in his speech to the *Judges* he complained, that he was driven as it were to begge his bread from doore to doore. 21 Hen. 8. he is convicted in a *Premunire*, all his *Lands* and *Estate* seised by the *King*, his *Colledge* at *Ipswich*, destroyed before built, that at *Oxford* receives some indowment, and a new name from the *King*, but is never to be finished. In the 22. H. 8. at his *Castle* at *Caywood*, he is by the *Earle* of *Northumberland* arrested of *High Treason*, and sent towards *London*; at *Leicester* the *Lieutenant* of the *Tower* met him, at whose sight he was much affrighted, and to prevent a publique and ignominious death which he feared, he gave himselfe (saith *Martin*) a *Purge*, * *Venenum recepisse*, (say they that write the lives of the *Popes* & *Cardinalls*) whereof he dyed, and was obscurely buried in *Leicester Abby*, without other memory then his *Sacriledge*.

f Good. f. 104.
Holl. 909.
g Good. f. 106.
h Holl. 909.
Good. f. 67.
Good. 108.
i Holl. 915.
j Holl. 915.
k Holl. 915.
l Holl. 915.
m Holl. 915.
n Holl. 915.
o Holl. 915.
p Holl. 915.
q Holl. 915.
r Holl. 915.
s Holl. 915.
t Holl. 915.
u Holl. 915.
v Holl. 915.
w Holl. 915.
x Holl. 915.
y Holl. 915.
z Holl. 915.

To the Reader.

The *Cardinall* in dissolving his forty *Monasteries* had used the helpe of five men (besides *Cromwell*) whereof two afterwards fought a *Duell*, in which one is *slaine*, and the survivor hanged for the *murther*, so each dyed guilty of his owne and the others blood; a third becomes *Judas*. like his owne executioner, for throwing himselfe into a well, he is there *drowned*; the fourth a great *Rich man* (to whom nothing is so terrible as *poverty*) lives to begge his bread from *doore to doore*; the fifth a *Bishop*, cruelly *murthered* in *Ireland*, by *Thomas Fitz Garret*, sonne to the *Earle of Kildare*.

I might here remember how *Pope Clement*, the 7th after his voluntary consent to destroy poore *Religious Houses*, is himselfe forced out of his *stately Pallace* at *Rome*, and being *besieged* at his *Castle* of *St Angelo*, is there constrained to eat *Asses Flesh*, and taking such conditions as a *Victorious Enemy* would give, is driven to plunder his owne *Church* to pay his *Enemies Army*, and at last *dies wretchedly* of a miserable *disease*: but this is *Forraign*, and I tyed to home examples.

Thomas Lord Audley, received the first fruits of *H. 8.* his *Sacrilege*, for in the 24 of his *Raigne*, the *King* dissolved (by what meanes I finde not) the *Priory* of *Christ Church* in *London*, and gave, saith *Stow*, the *Church Plate & Lands* to *Sir Thomas Audley*, who upon the dissolution of *Monasteries*, got that of *S. James* in *little Walden* in *Essex*, and made it both his *Seate*, and *Place* of his *Barony*, and after left it to *Margaret* his *Daughter* and *Heire*, first married to *Henry Dudley*, Sonne to the *Duke of Northumberland*, slaine at *S. Quintines*, and dyed without *Issue*, and after she was second *Wife* to *Thomas Duke of Norfolk* who had issue, *Thomas Howard*, created *Lord Walden*, being his *Grandfathers* title, and to credit his *Mothers Inheritance* upon the *Scite* of the *Monastery*, he began a goodly *Structure* (but attended with the fate of *sacrilegious foundations*) for that much impaires him, and he never perfects that, he met also with other *misfortunes*, which betiding so Noble a *Family*, and not yet published to the *World*, are fitter for thy *inquiry*, then my *Pen*.

Cardinall Wolsey being dead, his servant *Cromwell* succeeds him in his *Court*, *Favour*, and *Fate*, as their *birthes* were alike *obscure*, their *rise* alike *eminent*, so alike *miserable* were their *downefall*, wonder not at the first part of their *fortune*, but contemplate the

To the Reader.

later; Policy in Kings prefers able men to high places and honours for authority, power, and esteeme of the Persons advantages their actions; of which wise Princes reape the Harvest, the Actors get but gleanings, while the King makes Cromwell a Baron, his Secretary, Lord Privy Seale, his Vicegerent in Ecclesiasticis, he doth but facilitate his owne great worke of dissolving Monasteries, a businesse wherein Cromwell was too much versed, and unhappily too successful. Report spake him a great Stickler for the Protestant Religion, and that although the Gosnell had lost a Pillar in Queene Anne Bullen, yet was another raised in Cromwell, for he had caused the Bible to be read, the Creed, Pater Noster, and Ten Commandments, to be learned in English, and expounded in Every Church, some thought that Cromwell hoped to bury Popery in the ruines of the Abbeyes, and thereby give the better growth to the more pure Protestant Religion; how pious soever his intents were in reforming Religion, yet was not the manner of effecting them, it seemes, acceptable to Heaven, for by Parliament in the 31 of H. 8. he perfected his Dissolutions, and in April, in the 32 of H. 8. he is made Earle of Essex, and Lord great Chamberlaine of England, high in the Kings favour and esteeme, yet instantly, while sitting at the Council Table, he is suddainly apprehended and sent to the Tower, whence he comes not forth, untill to his Execution, for in Parliament he is presently accused of Treason and Heresie, and unheard, as if he were arraigned. Some do observe that he procured the Law of Attainder by Parliament, without hearing the Party, and that himselfe was the first, that by that Law aged unheard, for in July following, he was thereupon beheaded.

Next consider, that King Henry the eight, who ingrossed Sa-
criledge, and retailed it to Posterity, what the Pope permitted Wool-
sey (with Camden) H. 8. with the assent of his Parliament, per-
mits himselfe; the first to catch the Pope, pretends charity, and good
willed to attend the cheefe Justices, to know whether a man that was forth coming (as being in Prison) might be arraigned of high Treason by Parliament, and not called to answer. The Judges answered, it was a dangerous question, and they thought a Parliament would never doe it. But being by the expresse commandment of the King, and they pressed by the said Earle (Cromwell Earle of Essex) to answer directly, said, That if he was arraigned by Parliament, it could not be questioned, whether the Party was called to answer, or not; but the Party, against whom this was intended, (said he) was never questioned, but that the first man that suffered by that proceeding, was the said Cromwell himselfe.

To the Reader.

workes (Colledges shall be built) the later to winne the *Layety* in Parliament was offered with the revenue of religious houses to maintain 40th Earles, 60 Barons, 300 Knights, 40000 Souldiers, and for to ease the Subject of Taxes, and Subsidies; both obtained their desires in dissolving, neither performe the ends promised. H. 8. had first furthered *Woolsey* in his dissolution, and thereby found the way to ruine all the rest.

In the 27th yeare of his reign, by Parliament he dissolves the lesser houses, and in the 31st the great ones, in the 37th all the Colledges, Hospitals, and Free Chappels, except some few, and possesseth all their lands, goods, and treasure. For the first halfe of his Raigne, (while free from Sacriledge) he was honoured of his Allies abroad, loved of his Subjects at home, successfull in his actions, and at peace, as it were, with God and Man; but after his Sacriledge (as in disfavour with both) his Subjects Rebell, first in Suffolke, after in Lincoln, Sommer set, York shire, and the Northerne parts, as also in Ireland, such dearch of Bread and Corne in England (the Grainary of Christendome) that many dye starved, which hath not beene since the 40th of H. 3. And now (like Saul forsaken of God) he falls from one sin to another. Queene Katharine (the Wife of his Bosome for 20. yeares) must now be put away, the marriage declared voyd, and he desirous of Sonnes more then Pillars to beare his name, marryes the Lady Anne Bullen, and by her had the Lady Elizabeth, & in the 17th of his Raigne, a Sonne borne dead (to his great affliction:) the 19th of May 1536, the 28th of his Raigne, she is beheaded, and the next day he marryes the Lady Jane Seymore, who being with Child by him, she (nature unwilling to give birth to the Sonne of such a Father) wants strength to bring forth. The Father commands her in vision, and the Mother the 12th of Octob. dyes to give a short life to her Sonne, and the sixth of January, in the 31st yeare, the King weds the Lady Anne of Cleve, and in July after is divorced: and in August following he marryes the Lady Katherine Howard, and in December in the 33rd of his Raigne she is attainted, and dyes on the block; and in July in the 35th of his Raigne, he marryes the Lady Katharine Parr. Here's Wives enough to have peopled another Canaan, had he had Jacobs blessing; but his three last are childlesse, and the Children of the two first are by Statute declared illegitimate, and not inherisable to the Crowne.

y M. Howes his
Preface to
Stowes Annals.
Str Edw. Cookes
Jurisdiction
of Courts f. 44.
2 Vids the se
veral Acts.

27 H. 8. 31.
a H. 8.
b 37. H. 8. c. 4.

c. Speed. fol.
1040.

d Speed. 1039.

e Speed. 1040.

f Speed. 1039.
Ibid.

Ibid.

g 28. H. 8. c. 7.

But

To the Reader.

But himselfe growing aged and infirme, hopelesse of more Children, and not willing to venture the support of his Crowne and Family, upon a single and so weake a proppe, as was his Sonne Prince Edward. In the 35 yeare of his Reigne he intailes the Crowne upon his Children, after his death they all successively sway his Scepter, and all dye Childlesse, and his Family is extinct, and like Herostратus his name not mentioned, but with his Crimes. His Crowne happily descends to the issue of his eldest Sister, and a Forraigne Nation (like Cyrus's) fill his Throne.

Among the many great and active men aiding H. 8. in his dissolution of Monasteries, & receiving great reward out of his Churchspoyle, Charles Brandon, Duke of Suffolke was the cheife, he had four wives, his first the daughter of Nevile, Marquesse Mounteagle, who dyed without issue. By his second wife he had one Daughter, married to Stanly, Lord Mountague, but dyed without Issue. His third wife was Mary Queene Dowager of France, and Sister to Henry 8. by her he had one sonne, Henry, and two Daughters, Francis and Eleanor. His Sonne was created Earle of Lincolne but dyed a Child, his Daughter Francis married Gray, Marquesse Dorset, and after Duke of Suffolke, who had one sonne Henry who dyed young. Jane Gray his eldest Daughter married to Guilford Dudley, and was with him Beheaded about 5 Mary. Katharine his second Daughter was married to Edward Lord Seymore, Eldest Sonne to the Duke of Somerset, Mary his third Daughter married to Martin Keyes, and dyed without Issue. Ellenor, second Daughter to Charles Brandon, married to Clifford Earle of Cumberland a gallant Family, lately extinct.

The Queene Dowager dying, Charles Brandon Married the Daughter and Heire of the Lord Willoughby of Eresby, who enriched him with two sonnes, Henry and Charles, but the Duke dying about the 36. of H. 8. left his Title and Estate to his sonne Henry, who enjoyed it untill 5 E. 6. then dying of the Sweating sicknesse, left them to his brother Charles, who only lived to be his brother Heire, and Duke of Suffolke, and the same day, and of the same Disease which his brother dyed, and with him the Title, Name, and Family of Brandon.

The Statute of H. 8. c. 12. gives the Monastery of Sibeton in Suffolke, to the Duke of Norfolke, and the Chauntry of Cobham in Kent,

To the Reader.

Kent, to the Lord Cobham; since which time how heavy the hand of Justice hath fallen upon these Noble Families, informe thy selfe from our *Annals*.

Consider next the Duke of Somerset, Protector to Edward the sixth, *Goodwin* in his *Annals* saith, "He was a just and pious man, a m *Godwin. fol.* zealous Reformer of Religion, a faithfull preserver of the King and ^{252.} Common wealth, save that with the common Errour of the time, his hands were deepe in sacriledge. In the first yeare of ^{n Stat. 1. Ed. 6.} Edward the 6. he procured the Dissolution of some Chantries, Free-Chappels, ^{c. 14.} and Hospitals, left undissolved by H. 8. In the third yeare, he permits (if not procures) his Brother Thomas Lord Seymore, untried, (saith ^{o Godwin. fol.} *Goodwin*) to be attainted by Parliament, and shortly after, (not unblamed) signed a Warrant for his Execution, where- ^{227.} upon his Brother lost his Head, and he a friend.

The same yeare his zeale to Reformation, addes new sacriledge to his former; for he defaces some part of S. Pauls^p Church, converts the Charnell house, and a Chappell by it, into dwelling Houses, and demolishing some Monuments there, he turnes out the old bones to seeke new Sepulchres in the Fields: next he destroyes the Steeple, and part of the Church of S. Johns of Jerusalem by Smithfield, and with the stone beginneth to build his house in the * Strand; ^{Ibid.} but as the leprosie with the Jewes, with us the curse of Sacriledge, ^{* Somerset House.} cleaves to the Consecrated stone, and they become insuccessefull, so as the Builder doth not finish his House, nor doth his Sonne inherit it. In the fifth yeare of Edward the 6. the Duke was indicted, and found guilty of Felony, which was (saith *Hollinshead*) upon a Statute made the third and fourth of Edward the 6. and since repealed, whereby to attempt the death of a Privy Counsellour, is Felony (*Godwin* saith) upon the Statute of 3. H. 7. but erroneously, that not extending to Barons; it is observable that this Law was but the yeare before passed by himselfe, and himselfe the only man that ever suffered by it. The Statute being since repealed; ^{q Godwin, fol.} *Godwin* observes ^{247.} and wonders that he omitted to pray the benefit of his Booke, as if Heavens would not that he that had spoiled his Church, should be saved by his Clergy; and it is observable that in the Reigne of Edw. 6. none of the Nobility dyes under the Rod of Justice, but the Duke of Somerset and his Brother the Lord Admirall, all the Uncles the King had, and their Crimes comparatively were not haynous.

Did these men dye the common death of all men? or were they
d visited

To the Reader.

visited after the manner of all men? if not, beleive they provoked the Lord, and consider, that if they sinned in the first prophanation, thou that continuest their act, can't not be innocent.

Here thou mayest see God observing a *Decorum* in his punishment of Sacrilege; the Issue of the Conquerour are strangely (almost miraculously) slaine in the New-Forrest, where their Father committed the Sacrilege. *Woolsey*, that by the King's licence and power had destroyed 40 Monasteries, is by the Kings power ruined, and at last driven to seeke entertainment, and an obscure grave in a Monastery; his Agents that had thrust themselves into his sacrilegious employment, are themselves their owne Executioners, guilty of their owne Blouds.

Pope Clement the 7. that willingly permitted the spoile of 40 poore Monasteries, to erect two Rich Colledges, is himselfe necessitated to Plunder his owne rich Church, to preserve his poore decayed Person.

The Lord Cromwell, and Duke of Somerset, commit their Sacrilege by Acts of Parliament, and by Acts of Parliament they perish every one by the Sword, wherewith he strikes.

And since in the Acts of Parliament for dissolution of Monasteries, the whole Kingdome was involved either by their Personall consent as Barons, or their implicate consent in the representative body in the House of Commons, we have just cause to feare and pray, lest God still observing his order, and turning our Artillery upon our selves, should make use of a Parliament (whereby our Fathers robbed him) to destroy us their Children.

I have here given thee instance onely of such as were the first Actors in the violation and subversion of Monasteries; lest therefore thou shouldest thinke the crime and punishment endeth with them, Consider with me the condition and succeſſe both of our Common wealth in generall, and of Private Families in particular before the Dissolutions, and observe them after, and we shall finde just cause to thinke there is a cursed thing amongst us; For while our Religious houses stood, they (imploying their Revenues according to their Donors direction) opened wide their Hospitable gates to all Comers, and without the charge of a Reckoning, welcomed all Travailers, untill the Statute of 1. Edw. 1. restrained and limited them, and casting their Bread upon the Waters, they releived the Neighbouring poore without the care of the two next Justices

To the Reader.

ces of Peace, or the curse of a Penall Law; while they stood, the younger Children both of Lords and Commons were provided for, without the ruine of their Fathers Estate, or (almost) a charge to their Parents, and not left (as now) often to an unworthy, necessitous, and vicious course of life: we had then no new Lawes, (the offspring of new vices) to erect Houses of correction for lewd and vagrant Persons, to provide stocke to binde poore Children Prentises, or to make weekly Leavies, to maintaine the weak, lame, indigent, and impotent People, to our new charge of an Annual Subsidie at least, for these were provided for, those prevented by the charity of our Religious Houses, and then the Families and Estates of our Nobility and Gentry continued long through very many descents. But when covetous Sacriledge got the upper hand of superstitious charity, and destroyed all our Monasteries, all our Religious Houses, the preservers of Learning, both Divine and Humane, by their Learned workes, and laborious Manuscripts, the suppressours of Vice, by their strict, regular, and exemplar lives though some, nay many among them Sonnes of Ely, made the offerings of the Lord to stinke before the People. Then all their Houses, all their Lands, Appropriations, Tithes, and Oblations, coming into the Kings hands, Policy (to prevent a restitution) distributes them among the Layety, some the King exchanges, some he sells, others he gives away; and by this meanes, (like the dust flung up by Moses) they presently disperse all the Kingdome over, and at once become curses both upon the Families and Estates of the owners; they often vitiously spending on their private occasions, what was piously intended for publique Devotion; insomuch that within Twenty yeares next after the Dissolution, more of our Nobility and their Children have beene attainted, and dyed under the Sword of Justice, then did from the Conquest, to the Dissolution, being almost five hundred yeares; so as if thou examine the List of the Barons in the Parliament of the 27 H. 8. thou shalt finde very few of them, whose Sonne doth at this day inherit his Fathers Title and Estate, and of these few, many to whom the Kings favour hath restored what the rigorous Law of attainder tooke, both Dignity, Lands, and Posterity. And doubtlesse the Commons have drunke deepe in this Cup of deadly Wine, but they being more numerous, and lesse eminent, are not so obvious to observation.

1 K. d. 43. Eliz. c. 3.

Speed. f. 1086.
 Par. Churches,
 9232. Cam.
 Brit. fol. 162.
 Par. Churches.
 9284. whereof
 impropriate
 3845.

To the Reader.

Thou hast seen the insuccesse of H. 8. and his Family, and mayest observe his *sacrilegious wealth* not to thrive better.

f Cambden. fol.
163.

M. i Cambden in his *Britannia*, saith, that in the time of H. 8. after the *Dissolution* of the lesser Houses, there were remaining 645 Monasteries, (*Monuments* of our *Ancestours piety*) built to the honour of God, and propagation of the *Christian Faith*, Learning, and the releife of the Poore, as also 96 Colledges, (besides those in the *University*) 110 Hospitalls, and 2374 Chantries and Free-Chappells. All which, except some few Colledges, Free-Chappells, and Chantries, with all their Lands and Wealth, came to H. 8. the Annuall value of the Lands then being very Vast, their Goods and Personall Estate exceeding great, besides the Plunder of Shrines inestimable, when the Pearle, Gold, and pretious stones of one Shrine filled two Chests, so as each took eight strong men (saith M. Cambden) to carry it.

i Godwin. fol.
159.

And although the dissolving of Chantries, Colledges, and Free-Chappells, in the 37. of H. 8. his Reigne did not yeild him a Crop equall to the Vintage of his former Reformatiōs; yet was his Harvest better then the Gleanings of Ruth, though among full sheaves.

u Speed, fol.
1011.

Speed saith he had 12 Barrells filled with Gold and Silver, which Cardinall Woolsey provided for the Pope; Goodwin remembers 118840^l he had of the Clergy for their Fine in a Premunire, besides the great benefit of Forfeitures that accrued by the attainders of many great men, and the multitude of Lones, Taxes, and Subsidies, he received from his Subjects, being more (saith M. Cambden, and M. Howes) then all the Kings had in 500 yeares before; yet all this accessse of wealth, added to that Masse of 5300000^l left him in ready money by his Father, as appears by the Close-Roll of

x Cook. Juris-
diction of
Courts, fol.
198.

3. H. 8. (saith Sir Edw. * Cooke) could not preserve him from want; (the certaine attendant on *sacrilegious wealth*) wherewith he is so sore pressed, that about the 36 yeare of his Reigne, of all the Kings of England, he alone, Coynes not onely base * Tinne and Copper,

* Non tantum
stanneam cu-
primaque sed
coriaceam pe-
cuniam solum
omnium regum
Ang. procudere
coactum est.

but Leather money. And it is observed that since the accession of Abbies and Improvements to the Crowne, even the Crowne Lands (which formerly have been thought sufficient to support the ordinary charge of the Crowne) are now so wasted (*absit invidia dictis*) as they will scarce defray the ordinary charge of the Kings household. And while such bitter streames flow from *sacrilegious Wells*, though digged by Kings.

To the Reader.

Kings, Subjects, that fill their Cisternes from thence, cannot expect to drinke sweet Waters.

Reynirus tells us, and upon good credit, that at the dissolution ^{Apostolatus} *H. 8.* divided part of the Church-spoyles among 260 Gent. of *Fami. Benedict.* in *lies* in one part of England, and at the same time *Thomas Duke of Ang. fo. 227* *Norfolke,* rewards the service of Twenty of his Gentlemen, with the ²²⁸ grant of 40^l a yeare out of his owne Inheritance, and that while not sixty of the Kings *Donees* had a Sonne owning his *Fathers Estate*, every one of the *Dukes*, hath a Sonne of his owne *Loynes*, Flourishing in his *Fathers Inheritance*, and that he could have set downe their severall names had conveniency required it.

Thou maist here expect I should observe the ill successe of particular private men, possessors and owners of Impropriations and Sciter of Religious Houses, but to set downe all, would make the porch much bigger then the House, a disproportion, I feare, among other Errors I am already guilty of, and to set downe but a few, would displease thee, while I discover the nakednesse onely of thee, thy Parents or Freinds. But do thou, and let every man observe, how often Impropriations and Religious Houses in a short time change and shift their owners, like the *Arke* not resting, either with the men of *Ashdod, Gath, or Eckron*, but wearies them out with *Emrods*, ^{2. 1 Sam. 5.} and *Mice*; curses upon their persons & Estates, but returned to *Bethshemeth* and *Kiriath jearim* to its owne place, to the *Priest* and *Le-* ^{cap. 7.} vice, not only *Obed-Edom*, but even all *Israel* is blessed.

And that thou maist neither doubt, nor yet wonder, at the insuccesse of Sacrilegious Persons, first weighing what *David* prayed against those that did but say, *Let us take to our selves the Houses of* ^{a Psalm: 83.} *God into our possession*; next remember the many and greivous curses imprecated by Founders of Religious Houses, and those seconded by their spirituall Mother the ^b Church, she injoynd it by the natural Parent, in severall Acts of Parliament, and canst thou hope good from their blessings, and not feare evil from their curses? If thou thinkest the Founders Idolaters, the Church Popish, and therefore their curses not regardable, let that in *Ezra* rectify thy Error, where thou shalt finde *Darius* finishing what *Cyrus* began, the ^c *second Temple at Jerusalem*, then restoring what *Nebuchadnezzar* had taken, all the Golden and Silver vessell, then he gives *Cattell, Corne, Wine, Oyle, &c.* for sacrifices, and addes this curse upon the ^d *violators.* *And the God that hath caused his name to dwell there, destroy all, King and People, that put to their hand, to alter and de-* ^{17. Ez: 1. c. 6.]} ^{Ezra: 6.]} ^{Ezra: 6, 17.]}
stroy

To the Reader.

- stroy this house of God, which is at Jerusalem, there thou maist observe both an Idolater giving, and a Heathen cursing, yet is his guilt acceptable, and his curse prevalent, for thou shalt finde **Antiochus** Epiphanes his Armies destroyed, himselfe dejected and complaining even to death, of his great tribulation and misery, acknowledgeth that they befall him for his Evil done at Jerusalem, for he tooke thence the Golden Altar, the Table of the Shew-bread, the vessels of Gold and Silver, as thou maist read in the 1. Chap. 1. ¹ Mac. and himselfe dying of a most loathsome disease. And shortly after his sonne ² **Antiochus Eupator** is slaine, and in the same Chapter thou maist observe **Nicanor** threatening to burne up the Temple, and presently he first, & after, all his Army is slaine, not one escapeth, the head and Right hand of **Nicanor**, which had been lift up against the Temple, is cut off & hung up towards Jerusalem. **Heliodorus** is sent to Jerusalem by **Seleucus** King of Asia, to take the Treasure out of the Temple, and while in the Temple disposing the treasure, he is smitten of God, and ready to dye, untill **Onias** the High Priest, at the intreaty of some Friends, offers sacrifice for him, and obtaines his life, and **Heliodorus** returnes to the King, and declares what befell him, the King, yet thirsting for the Money of the Temple, would send another, and demanding of **Heliodorus** whom; he answered, thy enemy or a Traytor, for if he escape with life, he shall be sure to be scourged, so certaine is the punishment of Sacriledge.*
- ³ **Calisthenes** attempting to burne the Temple, let fire on the gates, and after is himselfe burnt by the Jewes.
- ⁴ **Lysimachus**, called the Church-robber commits many sacriledges by the instigation of **Menelaus**; is slaine by the treasury of the Temple, and his instigator, is by **Antiochus** put to a strange Death, For in Beroa was a Tower 50 Cubites high, full of Ashes, with a Round instrument that went downe into the Ashes, wherein they put sacrilegious persons, and **Menelaus** (saith the Text) having committed sinnes against the Altar, whose Fire and Ashes are holy, receives his Death by Ashes, not having a Buriall in the Earth.
- ⁵ **Alcimus** even in his Act of Sacriledge, while pulling downe the Temple walls, is struck with a Palse and dyes in torment.
- ⁶ **Jason** the burnt the Porch, **Demetrius** and other sacrilegious persons all fall under the single curse of one Heathen: and doest thou thinke to scape so many curses of a Christian Church which twice a yeare (being so directed by Parliament) curses the violators of Churches and Church Liberties?

But

To the Reader.

But if these judgements and examples cannot fright thy covetous soule from *Sacriledge*, but thy desires of being rich sway thee, then let thy provident good husbandry so farre prevaile with thee, as not to meddle with God's and the *Levites* portion, the Church patrimony; but even out of *Temperall* and *Worldly* respects for the good of thee, thy Children, Neighbours, and posterity forbear (what pretences soever are made) the dissolving *Bishopricks* and *Deanaries*.

Remember that of all the specious pretences and large promises made both by *Woolsey* and *H. 8.* upon their severall *Dissolutions*, not any one of them is performed; *Woolsey* neither settles his *Colledges*, nor *H. 8.* ease his Subjects of *Loanes*, *Taxes*, and *Impropriations*, maintaines no *Souldiers* for defence of the *Kingdome*, nor disposes the *Lands*, as the Statute directs, to the honour and pleasure of *Almighty God*, nor indeed to the profit of the *Kingdome*, if thou weighest the profit and conveniency the *Publique* had before, with what they have now, the burdens and charges that we have since groaned under, and formerly not knowne; but that evill is only to be lamented, not cured, may we happily prevent the like for the future.

The *Lands* and *Revenue* of *Bishopricks*, & *Deaneries*, clogg'd with long *Leases* under small *Rents*, can give but little helpe in Pay of the *Vast Publique Debt*; and that with greater damage to the *Commonwealth*, then the draine of private purses can be, for this only weakens particulars, and for the present; that ruins generally, and for ever; for the *Priesthood* is not within (as with the *Jewes*) intayled upon *Aaron* and his *Sonnes*; but thine, mine, his, the *Sons of Nobles*, *Gentlemen*, and *Pesants*, while all alike able, are all alike interested in the *Churches* preferment, which in our *Nation* is the sole *Spur*, the only remand for *Learning*, and happily provides for those which otherwise would be burdens to their *Parent*, mischeifes to the *Kingdome*, while *Colledges*, *Bishopricks*, and *Deanaries*, continue, thou and thy *Neighbour* continuest thy *Lease* at small *Rents*, thy *Sonnes* and *Grand-child* renews it at easie *Fines*. and by the accustomed charity of thy *Ecclesiastick Landlord*, thy continued *Lease*, not clogged with *Liveries*, *Primer seifins*, and *Wardships* (the curse of *Tenures*) equals, if not betters an *Inheritance*.

But *Colledges*, *Bishopricks*, and *Deanaries* dissolved, their *Lands*, and *Houses* must be assigned (as were *Monasteries* and *Impropriations*) to this *Lord* or that *Courtier*, or to that or this *Committee-man*, and then thy *Rent* (if thou beest continued *Tenant*) must be racked

To the Reader.

27 H. 8.
31. H. 8.

to the highest rate, 'till thou ruined by paying so great a Rent, thy Landlord, by receiving the Church-Revenue, and all wee, while under the rodde for the first, be guilty of a second Nationall Sacriledge; for shall we not beleive this Nationall Warre and generall ruine, to be for a generall and Nationall sinne, which cannot be the acts of private and particular men though infinitely multiplied, but must proceed from the Acts of the universall Nation? and such I know none, but that Sacriledge of destroying some Churches, some Chapels, and robbing others of their Tithes and Indowments, which is not only connived at, but made lawfull by our Acts of Parliament to which even every one in the whole Kingdome, by our own Law, is said to be privie and consenting, and thereby guilty, of the subsequent Sacriledge; and then do thou judge, whether another Act for dissolution (which God prevent) will not be a step to another Nationall Sacriledge, and that to another Scourge; therefore if Hophni and Phineas have sinned, and Eli not reprov'd them, let them all three dy, yea in one day, for we have Text and president for that, but neither, that the order should perish.

To conclude, do thou consider, that while we detaine Tithes from the Church, and forbid Aaron to counsell Moses, whether we trespasse not upon the Property and Liberty of the Church, and shall not God visit for these things, when thou with thy Sword maintainest against thy Brother (If not against thy King) thy Property of Goods and Liberty of Subject? But that God may withdraw his Visitations, and thou sheath thy Sword, and the King receive the Allegiance and Tribute due from his Subjects, His Subjects their Protection and Liberties from the King; May King and Subject agree to returne God and his Church what is due to them, and may the first Actor, in restoring God his right, be by God first restored to his owne right.

Other things (and these more perfectly) I would have observed to thee, had not London and Oxford, the Records and I been at so great a distance. Let therefore thy goodnesse excuse, what is either omitted or mistaken by not veiwing the Records, and for my other Errors, I beg thy pardon, as I would have done for meddling with this subject, fitter for a Pulpit then my Pen; but I have often heard it righted from the Levite, as Preaching his owne profit, and therefore thought it might take better (though worse delivered) from a Lay hand, no wayes concerned by it, but in the generall calamity of our Common-wealth. Farewell.

CLEM: SPELMAN,

Do



De non temerandis Ecclesiis.

OF THE RIGHTS AND RESPECTDVE VNTO THE CHVRCH.



INsomuch as the rights and duties that belong to our Churches are in effect contained under the name of a Rectory or Parsonage; I will first define, what I conceive a Rectory or Parsonage to be, according to the usuall forme and manner thereof.

A Rectory or Parsonage, is a ^a *Spiritual living*, composed of *Land, Tythe*, and other ^b *Oblations* of the people, ^c *seperate* or dedicate to God in any *Congregation*, for the ^d *service* of his Church there, and for the maintenance of the *Governour* or *Minister* thereof, to whose charge the same is committed.

By this *definition* it appeares, that the ordinary living or revenue of a Parsonage, is of 3 sorts: the one in Land, commonly called the Glebe: another in Tythe, which is a set and regular part of our goods rendred to God. The third, in other offerings and oblations bestowed upon God and his Church, by the people, either in such arbitrab

A Rectory what it is.

^a *Plowd. Comment. in Quare Impedit, per Grendon, &c.*

^b *Oblatio est omne quod exhibetur in cultu Dei, Tho. Aq. 2.2.9.85.3.3. &c. and Urban*

in his epist. *Tom. 1. Concil.* And Lands are so termed, *Ezek. 45. 1.* and Tythes, *Numb. 18. 24.* So also the Canonists and Civilians expound them, *Concil. Aurel. cap. 7. Burcha. lib. 3. cap. 129, & 143. Et Lex Jurid. in verb. oblatio, c. Levit. 27. 28.* ^d Touching divine worship and works of charity.

B

proportion

proportion as their owne devotion moveth them, or as the lawes or customes of particular places doe require them.

Tithes how due.

Gen. 14. 19:

Yet there be
divers naturall
reasons that
commend this
number (for
this purpose) a.
bove o her.

^b Gen. 14. 20.

^c Gen. 28. 22.

^d Lev. 27. 30.

^e 32.

^f Deut. 12. 6, 7.

11. Malachy 3.

12.

^e Declared by
the Fathers and
Councels.

2. Though I invert order a little, I will first speake of Tithes, because is Gods ancient demaine, and the nobler part of this his inheritance, founded primarily, upon the Law of nature, (as the other be also after their manner,) For the *Law of Nature* teacheth us that God is to honoured, and that the honour due unto him, cannot be performed without *Ministers*, nor the *Ministers* attend their function without maintenance. And therefore seeing God is the supreme Lord and possessor of all, and giveth all things unto us that we are maintained with; it is our duty both in point of *Justice* and *Gratuity*, to render something backe againe unto him, as acknowledging this his supremacy and bounty; as honouring him for his goodnesse; as a testimony of the worship, love, and service we owe him; and lastly, as a meanes whereby these duties and services may be performed to him. This, I say, the very *Law of Nature* teacheth us to doe: and this the *Law of GOD* requireth also at our hands: but what the *set* portion of our goods should be, that thus we ought to render backe unto God, I cannot say the *Law of Nature* hath determined that. But the wisdom of all the Nations of the World, the practice of all Ages, the example of the Patriarchs. ^b A B R A H A M and ^c J A C O B, the ^d approbation & commandment of Almighty GOD himselfe, and the constant ^e resolution of his CHURCH universally, hath taught and prescribed us to render unto him the *Tenth part*: and that this *Tenth* part or *Tithe*, being thus assigned unto him, leaveth ^f now to be of the nature of the other *nine parts* (which are given us for our worldly necessities) and becometh as a thing dedicate and appropriate unto God. For it is said, *Levit 27. 30. All the tythe of the land, both of the seed of the ground, and of the fruit of the trees, is the Lords: yea more then so, It is holy unto the Lord. And againe (v. 32.) Every Tythe of Bullocke, and Sheepe, and of all that goeth under the rodde, the Tenth shall be holy unto the Lord. He saith, holy unto the Lord; not that they were like the sanctified things of the Temple, (which none might touch but the Anointed Priests) but Holy and seperate from the use and injury of secular persons, and to be disposed only, to and for the peculiar service, and peculiar Servants of GOD. And therefore in the 28 verse, it is said, to be seperate from the common use, because it is seperate, and set apart unto the Lord.*

3. But

3. But some happily will say, that this use of *Tithing* rises out of the *Leviticall* Law, and so ended with it.

I answer, that it was received and practised by *Abraham* and *Jacob* divers hundred yeares before it came to the *Levites*. For it is said that *Abraham* gave *tithe* to *Melchisedeck*, *Gen.* 14. 20. And that *Levi* himselfe paid *tithe* also in the loines of *Abraham*, *Heb.* 7. 9. *Melchisedeck* was the image of *CHRIST*, and his Church; *Abraham* of the congregation of the Faithfull. Therefore though *Levi* received *tithes* afterward, by a particular grant from *GOD*, for the time: yet now he paid them generally with the congregation, in the loines of *Abraham* unto the Preihood of *Christ*, here personated by *Melchisedeck* which being perpetuall, and an image of this of the *Gospel*, may well note unto us, that this duty of *Tithe* ought also to be perpetuall. And therefore *Chrysostome* saith, that *Abraham* herein was *OUR* tutor: not the tutor of the *Jewes*. And insomuch as *Abraham* paid it not to a *Priest* that offered a *Leviticall* Sacrifice of *Bullocks* and *Goates*: but to him that gave the *Elements* of the Sacrament of the *Gospel*, *bread* and *wine*: it may also well intimate unto us, to what kinde of *Priest* we are to pay our *tithes*: namely to him that ministrereth unto us the Sacrament of *bread* and *wine*, which are onely rhole of the *Gospel*, and not the *Leviticall* *Priests*. So that our *tithe* paid in this kind, cannot be said *Leviticall*: as also for that the *Leviticall* *tithes*, were onely of things of renewing and increasing: whereas *Abraham* and *Jacob* paid them of *all*: as if they had followed the commandement of the *Apostle*; *Let him that is taught in the Word, make him that hath taught him partaker of ALL his goods*, *Gal.* 6. 6.

GOD also requireth this duty of *tithe* by his owne mouth, as of old belonging unto him, before the *Levites* were called to the service of the *Tabernacle*, and before they were named in Scripture. For they are not named till *Exodus* 38. 21. And it is said in *Exodus*, 22. 29. *Thine aboundance of thy liquor thou shalt not keepe backe*: meaning *Tithes* and *first fruits*, and therefore *Hierome* doubteth not so to translate it; *Thy Tithes and first Fruits thou shalt not keepe backe*. And in this manner of speech, the word *Keepe backe*, sheweth that it was a thing formerly due unto *GOD*: for we cannot say, that any thing is *kept backe*, or *withholden*, that was not due before. Therefore we finde no originall commandement of giving *tithe* unto *GOD*: but upon the first mentioning of them in *Leviticus*, they are positively

Tithes originall-
lynor *Leviticall*

a *Jacob* voweth
to give *tithes*,
Gen. 28. 22.
And *Ioseph*
sheweth he per-
formeth his
vow, *Antiquit.*
lib. 1. c. 27.

6 *Hom.* 35. *in*
Gen.

c The Scripture
onely mentio-
neth *Bread* and
wine to be gi-
ven by *Melchisedeck* to *Abraham*: But *Ioseph* sheweth,
that he gave
him also divers
of her rich gifts.
Antiquit. *lib.* 1.
cap. 18.

d *Lev.* 37. 30.

e *31.*

f *εν πλεονει*

δοις.

declared to be *His*, as a part of *His* Crowne, and ancient demaine; for it is there said, *Cap. 27. 30. All the tithe of the Land is the Lords.* And *Moses* commandeth not the people a new thing: but declareth the *Right* that of old belonged to *G O D*, namely, that *All the tithes of the Land was his.*

Other phrases of Scripture doe confirme this; for afterward when tithes came to be assigned to the *Levites*: God doth not say, *The children of Israel shall give their tithes to the Levites*: but he saith, *Behold I have given them to the Levites.* And continuing this his claime unto them, against those that many hundred yeares after disseised him of them: he complaineth, *Malachy, 3. 8. That they that withheld their tithes from the Levites, Spoiled him himselfe.*

But having handled this argument more largely in a greater worke, I will here close it up with opposing against these kinds of Adversaries, not onely the reverend authori of those ancient and most honourable Pillars of the Church, SS. ^a *Ambrose*, ^b *Augustine*, ^c *Hierome*, and ^d *Chrysostome*, (who though they runne violently with Saint *Paul*, against such ceremonies, as they conceived to be *Levitical*; yet when they come to speake of *Tithes*, admit, maintaine, and command the use thereof:) But also the resolution of many ancient Councils, and a multitude of other ^e *Fathers* and *Doctours* of the Church in their severall ages: all of them concurring in opinion, that *Tithes* belong justly unto *G O D*; and many of them commanding all men, even upon perill of their soules, not to withhold them: which Argument ^f *S. Augustin* himselfe pathetically maintaineth, in a particular Sermon of his to this purpose. And though it be a great question among the learned, whether they be due *in quota parte, jure divino* (which requireth a larger discourse) yet I never read of many that impugned them absolutely. ^g *Lientardus*, who lived about 1000 yeares after Christ, taught the payment of them to bee superfluous and idle, and then growing desperate, drowned himselfe, as it were to give us a badge of this Doctrine.

4. Touching *x oblations*, and *offerings*, The *Fathers* under ^h this name accounted all things, that were given or dedicated to the service of God. And in the first ages of *Christian* religion (after the great persecutions) the Church by this meanes began so to abound in riches, ⁱ *Augustin*, ^j *Origen*, ^k *Tertullian*, ^l *Cyprian*, ^m *Gregory*, &c. † See this Sermon in the end of this booke. ⁿ *Glaber Hist.* lib. 2. c. 11. ^o Of *Oblations* and *offerings*, ^p *Urban*, *Epist.* circiter Anno Christi, 227.

that the good Emperours^a themselves, were constrained to make a *Constance* lawes (not unlike our statutes of *Mortmaine*) to restrain the excessive and *Valentinian* thereof: for feare of impoverishing their temporall estate. In those *an* made lawes dayes, many Churches had *Treasuries* for keeping these oblations (as the rich men the Store-houses at *Hierusalem*, appointed by *Hezekias* for the which were able to support the Temple, but the succeeding Ages contracted them into Chests: and the charges of in these later times, the *Parsons* pocket may well enough containe the commonwealth, should them. I shall not need, therefore, to spend many words in a small matter: for all the *Oblations* now in use, are in effect the *two-peny* not be admitted into religious Easter Offerings, and a few other such like: which because the owners of *Appropriate Parsonages* shall not ignorantly convert unto their owne benefit: I will shew them why they were payd, and why they have them. *ous houses, because their possessions and goods were thereby amortized.*

Saint *Paul* ordained in the churches of *Galatia* and *Corinth*, that every one upon the Lords day should yeild somewhat to God for the *b 2 Chron. 31. 11.* Saints. 1. Cor. 16. 2.

But this (being once a weeke) came too thick and too often about. Therefore in *Tertullians* time the use was to doe it monethly, and (at last) at pleasure. But it was ever the ancient use of the Primitive *c Tertullian. in Apologetico. d Iustinus in Apol. 21 Hist. Eccles.* Church (as appeareth by *Justin* and *Cyprian*) that all that come to the holy *Communion*, did according to their abilities, offer something of their substance to God, for charitable uses and maintenance of the *Ministers*. Therefore *Cyprian* sharply taxeth a rich Matron, that *e Sermone 11. de Eleemosynis.* received the *Communion*, and offered nothing. *Locuples & dives & dominicum celebrare te credis, quæ Corban omnino non respicis? &c.* *f He calleth the treasury Corban, of that at the Temple of Hierusalem,* What? (saith he) art thou able and rich? and dost thou thinke thou *g Novi Testamenti novam docuit (scil. Christi) oblationem: quam Ecclesia ab Apostolis accipiens in universo mundo offert* celebratest the Lords Supper, which bringest nothing to the *Treasury*? So (*Irenæus* saith) *That it was the use of the Church through the world in his time, and received from the Apostles; to offer something of the* blessings that they lived by, as the first fruits thereof, to him that gave these things unto them. Which *Zanchius* understandeth to be meant of offerings at the *Communion*: given to holy uses, and for releife of the poore of the Church: commending it for an excellent custome, and complaining that it is now discontinued. But to this end, and in imitation hereof, are our Easter and *Communion* offerings (as also those, at, and for Christnings, Burials, &c. which I will not now speake

Deo, ei qui alimenta nobis præstat, primitias suorum munerum in novo testamento. h Vide Zanchium lib. 1. de cultu Dei externo.

Of Glebe
Land and hou-
ses belonging
to Parsonages.

further of) at this day made, and therefore let *Proprietaries* consider with what conscience they can swallow and digest them.

5. Touching the *land, globe, and houses*, belonging to Parsonages, (which I would have called *Gods first inheritance*, but that I see it is *moveable*;) I cannot say that they are *Gods ancient demesnes*, in the same forme that tithes are, and as our Clergy enjoyeth them; but the warrant and ground thereof, riseth out of the word of God; who not only gave us a president thereof, when he appointed *Cities* for the *Levites* to dwell in, with a convenient circuit of fields for the maintenance of their Cattle, *Num. 35. 2. &c.* but commanded also the Children of *Israel* (and in them all the Nations of the world;) that in division of their land, they should offer an oblation to the Lord, an holy portion of the Land for the Priest to dwell on, and to build the house of GOD upon: *Ezek. 45. 1. & 4.* So that the houses and lands that our Ancestors have dedicated to God in this manner, for the Churches and Ministers of this time: are now also his *right* and *just inheritance*, as well as those which the *Israelites* assigned for the house of God, and *Levites* of that time; and commeth upon the same reason and in lieu thereof. But because it is uncertaine when and how they were brought into the Church, I will say something touching that point.

How Lands
came to the
Churches.

In the time of the Apostles the use was (as appeareth *Act. 2. 45.* and *Act. 4. 34. & 35.*) to sell their lands and bring the money onely, to the Apostles. For the Church being then in persecution, and the Apostles not to remaine in any particular place, but to wander all over the world, for preaching the Gospel: they could not possesse *immoveable inheritances*; and therefore received onely the money they were sold for, distributing it as occasion served. But after when the Church obtained a little rest, and began to be settled, it found much casualty in pecuniary contributions, and chosed therefore rather to retaine the Lands themselves, given for the maintenance of Gods Priests and Ministers: then (by suffering the same to be sold) to furnish the time present with abundance, and leave the future time to hazard and uncertainty. Hereupon the Fathers in the ⁶ Primitive Church, as well before *Constantine* (as appeareth by his owne Edicts,

^a It appeareth by the Epistles of *Pius* and *Urban* who lived about the yeare of Christ 230. that the Church of *Rome* had then begun to retaine lands in this manner upon this reason: and it may well be, for that *Origen* and *Eusebius* shew, that Churches had then possessions, b *Edicta Constantini & Licij Imp. Eus. lib. 10. cap. 5.*

and

and by ^c Origen, ^d Eusebius, and the Epistles of ^e Pius, and ^f Urban) as after: began to accept and retain the lands thus given; and to leave them over to their successors for a perpetuall Dowry of the Church. And this upon experience was found to be so godly and worthy a course that it not onely received the applause of all succeeding ages, But commendeth for ever unto us their temperance, in desiring no more then for present necessity, their zeale for providing for posterity, and their great wisdom, (or rather, Prophetical spirit) which fore-saw so long before hand, that devotion though it were at one time hot and fervent, yet, at another it might be cold enough: and therefore when time served, they would by this meanes provide that the Church for ever, should have of her owne, to maintain her selfe withall. Upon this ensued many godly provisions for endowment of Churches, and for annexing their livings to unto them, as neither the variety of time, nor the impiety of man, (if it were possible) should ever have divorced them; as appeareth by a multitude of ancient Councils, Canons, Statutes and decrees of the Church, Emperours, and Princes, to that purpose. Therefore whilst the world burned so with that sacred fire of devotion, towards the advancement of the glory of God: that every man desired to sanctifie his hand, in the building of Churches, lest such holy monuments for want of due maintenance, should in proceesse of time become either contemptible, or unprofitable, It was at length ordained, in ^g Aurel. Concil. 4. (An. 545.) cap. 33. And ^h Concil. Valentin. (An. 855.) cap. 9. That, whosoever builded a Church, should assigne unto it a ⁱ Plough-land, furnished for the maintenance of the Parson thereof. By vertue of these Councils (as I take it) were the Founders of Churches in France first compelled to assure Livings to those Churches. And it was also provided by the third Councell of ^j Tolledo in Spaine, that no Bishop might consecrate any Church, till sufficient maintenance (which ^k Chrysostome calleth the Dowry of the Bride) were assigned to it.

^l See the two Edicts of Constantine and Licinius Empp: Euseb. lib. 10. cap. 5. And the laws of Constantine Theosof. Just: Carol: Magn: and many other. ^m To passe over forraigne Princes, our owne in former times have almost successively confirmed them. ⁿ Si quis in agro suo, aut habet, aut postulat habere diocesim, primum & terras ei deputet sufficienter, & clericos qui ibidem sua officia impleant, ut sacra uelociter reverentia condigna tribuantur, Aur. Conc. v. 23 in Conc. Tom. 2. ubi nota quod Diocesis accipitur pro libertate condendi oratoris vel Ecclesias, itaque in argumento huius capituli oratorum exponitur. ^o Tom. Concil. 1. ^p Colaniam vestram. in Concil. Tolet. 3. c. 15. in Chrysost. hom. 18. in Acta.

But because these were forraigne, and *Provinciall Councells*, not *Generall*: they bound not our Country, otherwise then by doctrine and example. Therefore it was here decreed afterward, to the same effect in a *° Synod* at *London* under *Anselme Arch-bishop of Canterbury*, *Anno Domini*, 1105. *H. 1. 3.* And though the lawes of our Church began then first (as farre as I yet can finde) to constrain our Country-men to give endowments to the Churches that they builded; yet we were taught before (by the Custome and example of our precedent Auncestors, as well as by our *duty* out of the *Word of God*) to do the same: as appeareth by many presidents, whereof I will onely alledge one (but above others, that most famous) of * *ETHELVULPHUS*, *King of West-Saxony*, who (in the yeare of our Lord 855.) as *Ingulphus Saxo*, and *Simeon Dunelmensis*. report, by the advice and agreement of all his *Bishops* and *Nobility*: Gave not onely the *tith* of the goods, but the *rent* part of the Land through his Kingdome for ever, to *God* and the *Churches*, free from all secular services, taxations, and impositions whatsoever: In which kind of Religious magnificence, as our succeeding Kings have also abounded, so have they from time to time, as well by *Parliament Lawes*, as by their *Royall Charters*, confirmed these and other the Rights of the *Church*, with many solemne 'vowes and imprecations against all that should ever attempt to violate the same. Therefore if these things had not beene primarily due unto *God* by the rule of his word; yet are they now *His*, and *seperate* from us, by the voluntary gift and dedication of our ancient Kings and Predecessours: as was the *tribute* of a third part of a shekel, which *Nehemiah* and the *Jewes* out of their free bounty covenanted yearely to give unto *God* for the service of his house. For, as *Saint Peter* * saith to *Ananias*: While these things remained, they appertained unto us, and were in our own power: but now, when we have not only vowed them, but delivered them over into the hands and possession of Almighty *God* (and that, not for superstitious and idle orders, but meerey for the maintenance of his publike divine worship, and the Ministers thereof,) they are not now arbitrable, nor to be revoked by us, to the detriment of the Church.

6. Churches being erected and endowed: they and their livings were (as I say) dedicated unto *God*. First, by the solemne vow and oblation of the Founders: then by the solemne act of the *Bishops*, who

o Syn. Lond.
ca 16. Antiq.
Britan. ca. 34.

* Alias Adulphus.

p Ingulf. in
Hist. Eccl.
q Sim. Dunelm. citat. Antiquit. Brit. ca. 27.

r Deciman mansionem ubi minimum sit.
f As appeareth in their severall lawes, and namely 15 times in *Edw* 3. raigne.
r See the Stat. of 25. *Edw* 1. in *Rastals* *Abbridgement* tit. *Confirmat.* 3. And *Sententia lata super Chartas.*

u *Neh.* 10. 32.
x *Acts.* 5. 4.

Churches and their livings dedicate to *God*.

who to seperate these things from secular and prophane imployments, not only ratified the vow and oblation of the Patron or Founders, but consecrated also the Church it selfe: using therein great devotion, many blessings, prayers, workes of charity, and some Ceremony, for sanctifying the same to divine uses. Therefore also have the ancient Councels added many tearefull curses against all such as should either violate it, or the Rights thereof.

This consecration, Matter ^b Perkins calleth a Dedication, but confesseth it to have been in use in this manner, about the yeare of Christ 300 (which is within the time of the Primitive Church) onely he admitteth not, that it was then performed with Ceremony and the signe of the Crosse; which here I will not stand upon, nor to shew the greater antiquity thereof, (though I thinke it may well be proved.) For ^a Athanasius being in those daies accused by the Arians, of ministring the Communion in a Church not consecrated, excused himselfe to have done it upon necessity. And Theodoret reporteth, that Constantine (then likewise) commanded, all those that were at the Councell of Tyrus, should come to ^a Elia; and that others should be assembled from all parts, for ^c Consecration of the Churches builded by him. Which sheweth it to be so notorious and generall an use at that time, and to have such universall approbation, as it could not, but have a root also from elder ages, though there cannot be many presidents found thereof, for that the Christians being then in persecution, might hardly build, or dedicate any Churches, but were constrained to use private houses, and solitary places for their assemblies. Yet, even those houses, had (as it seemeth) some consecration, for they were most commonly called ^a *edes sacra*, Holy houses, and have left that name, (to this day) amongst us, for our Churches, as a testimony of their sanctification, whereof I shall speake more anon. ^a Eusebius also saith: that inso much as the Holy houses and Temples of that time, were thus Dedicated and Consecrated unto God, the universall Lord of all: therefore they received his name, and were called in Greeke *κωνσταντι*, (in Latine, *Dominica*) the Lords houses: which name, saith he, was not imposed upon them by man: but by himselfe onely, that is Lord of all. Of this word *κωνσταντι*, cometh the Saxon word *Cyric* or *Kyrk*: and (by adding a double aspiration to it) our usuall word *Chyrch* or *Church*, as it were to put us ever in mind, whole these Houses are, namely,

^a See the 6.
Syn. Rom. of
103 Bishops
(above 1000
yeares since)
wholly against
violters of
Churches and
Church-rights.
And see many
to this purpose:
^b Barchar. lib. 1.
^b Demost.
Problem. 11.
Templum sect.
3.
^a In Epist. ad
Constant. Imp.
^c Hystor. Jure
lib. 1. c. 30.
Soz. m. lib. 3. c.
25. Niceph. l.
8. cap. 50. Hist.
Trip. l. 3. fol.
331.
^a Hierusalem
consecrate:
^a Euseb. in orat.
de laudib. Con-
stant.
^a Ibidem.

Gen. 22. 22.

namely, the Lords houses: like that, which J A C O B dedicating unto G O D, called (*Bethel*:) that is, the house of God.

Chrys. hom. 18.
in Act. Concil.
Mogunt. cap. 7.

But both Church and Church livings were thus solemnly delivered into Gods possession; and therefore all ages, Councils and Fathers (that ever Lyet have met with) account them holy and inviolable things. And hereupon they are termed, *Patrimonium Christi*, *Dos Ecclesie*, *Dos sponsa Christi*, and *Sacrata possessio*, or *Pradium sanctum*. For, Every thing that a man doth separte unto the Lord from the common use, whether it be man, or beast, or Land of his Inheritance, it is Holy to the Lord: *Levit. 27. 28*. And in what sort I understand the word Holy, I have before declared.

Holy Righes
and Temples
how respected
by Heathens.

7. As then the Law of Nature primarily taught all Nations in the world, to give these things unto God: so the very same Law also taught them that it was sacrilege and impiety to pull them back againe: yea, the very heathen counted the things thus severed un o their gods, to be *Sancta & inviolanda*. And Saint Augustine expounderth, *Sanctum illud esse, quod violare nefas est*. It is execrable wickednesse, to violate that that is holy. Pharaoh would not abridge the Priests of their diet or land: no not in the great famine. The very Barbarous Nations of the world, even by the instinct of nature, abhorred this impiety. *Diodorus Siculus* noteth of the *Gauls*, that though they were a people, above all others most covetous of gold: yet having abundance thereof, scattered in all parts of their Temples, to the honour of their gods, none was found so wicked amongst them, as to meddle with any of it. I could alleadge a multitude of Heathen stories to this purpose. But I will not weave the woollen ycarne of the *Gentiles*, into the fine linnen garments of the *Christians*; I meane, I will not mingle profane arguments, in a discourse of Christian piety. For the sheepe that are of the fold of Christ, are tied onely to heare his voice, and to follow that; which if they doe not, they are thereby knowne to be Goats, and nat of his fold.

Gen. 47. 32.

Biblioth. hist.
lib. 5.

John 10. 37.

How fearful a
thing it is to
violate the
Church.

8. The cause why I touched upon this one heathen Example is to aggravate the manifold finnes of us Christians, in this point. For if they that knew not God, were so zealous of the glory of their Idols: how much more is it to our condemnation, if we that know him, doe lesse regard him? If it goe hard with *Tyrus* and *Sidon* in the day of judgement that sinned ignorantly; how much harder will it be with *Cerasus* and *Bethsaida*, that sinne presumptuously: Especially with *Capernaum*

Capernum, that despiseth her Lord God and Master, *Iesus Christ* himselfe? What is it to despise him, if to robbe him of his honour, be not to despise him? Or what is it to robbe him of his honour, if to take from him the things given him for maintenance thereof, be not to robbe him? Therefore when the children of *Israel* withheld their *tithes* and *offerings* from the *Levites*, he crieth out in *Malachy*, 3. 8. That *himselfe was robbed and spoiled*: and was so highly offended therewith, that he cursed the whole Nation for it. And to make this sinne appeare the more monstrous, he convinceth the offenders therein: not onely to be violaters of his *Legall* ordinances, but even of the very law of *Nature*, written in the heart of every man. For, saith he, *Will any man spoile his gods?* As if he should say: Can such a man be found as will, or dares commit that sinne, that all the Nations of the world, even by the instinct of nature, account to be so horrible and impious? *To spoile his gods: what? his owne gods?* Some were found, that now and then adventured to spoile the gods of other Nations, (yet not without punishment) but few or none that I reade of (till these latter dayes) that spoiled their owne gods, in apparent and *overt* manner, as the Lawyers tearme it. I count it not overt and apparent, when we doe as *Ananias* and *Sapphira* did, pinch and detract from God, somewhat of what we vowed to give: Nor, when we do as the children of *Israel* here did, withhold that which we ought to pay out of our owne goods, (yet both these were heinous sinners, and dreadfully punished.) But I call it overt and apparent, when we throw our selves into a more dangerous sinne, by invading openly the devotions of other men, and taking that from God and from his Church, (as *Athalia* did) which we never gave unto it, even the lands and livings thereof: yea, the Churches themselves.

2 Chron. 24.
vers. 7.

9. Doubtlesse we have much to feare in this point: For as it is a transcendent sinne; so *David* labouring to match it with a transcendent punishment, bestoweth a whole Psalme, (*viz* the *83.) in inveighing particularly against these kinde of sinners: such (expressely) as *would take to themselves the houses of God in possession*; for that only is the very center of the Psalme, and therein doe all the lines and projections of the *Prophets* invectives, concur. First he maketh a flat opposition betweene God and them: and therefore calleth them his enemies. Then he describeth the nature of these kinde of enemies: namely, that they are *murmuring* enemies, as grudging, and envying

David's zeale
for the house
of God.

* This Psalme
is alleadged to
this purpose by
Lucius (who
was martyred
about An. Chr.
255) in his e-
pistle to the Bi-
shops of Gallia
and Spaine.

at Tom. concil. 1.

at the prosperity of the Church: *Malicious* enemies: as hating or hurting the service of God. *Proud* enemies, as *lifting up their heads against God*: *vers*: 2. *Crafty* enemies, as imagining how to beguile the Church. *Conspiring* enemies: as taking *Councell* together against Gods *secret ones* (as the Prophet calleth them) that is, Gods servants and Ministers: *vers*: 3. And lastly, *Confederate* enemies: as combining themselves one by example of another to persevere in their course of wronging and violating the Church: *vers*: 5. Yet for all this, those against whom the Prophet thus inveigheth, did not that they desired. They discovered their malicious purpose by word of mouth, saying: *Let us take to ourselves the houses of God in possession*. But they onely said it, they did it not. Their will was good, but their power failed. Our will and power have both prevailed: for we have got the *houses of God into our possession*: His Churches, his lands, his offerings, his holy rights. We have gotten them, and led them away captive, bound in chaines of iron: that is, so conveyed and assured unto us, by Deed, by Fine, by Act of Parliament, as if they never should returne againe unto the Church. But heare what *David* saith to those of his time. Marke how he prayeth for them. Marke what strange and exquisite punishments he designeth to them: and that in as many severall sorts, as there are severall branches in this kinde of sinne.

First, he prayeth, that God would deale with them, as he did with the *Midianites*, *vers*: 9. That is, that as *Gedeon* by Trumpets and Lampes, strooke such a terrour in the night time, into the hearts of the *Midianites*, that the whole army fell into confusion, drew their swords one upon another, were discomfited, and 120 thousand of them slaine. So that God by his trumpets, the Preachers of his word, by his Lampes, which is, the light of the Gospell, would confound in like manner, the enemies and spoilers of his Church, that sleepe in the night of their sinne: And that he would make them like *Oreb* and *Zeb*, like *Zeba* and *Salmana*, *vers*: 11. All which were strangely overthrowne, died violent deaths, and being glorious Princes of their nations, became like the filthy and loathsome *Dung of the earth*, *vers*: 10. And *Judges* 7. 25. and 8. 21.

But doth the Prophet stay here? no, he goeth on with them: *O my God*, saith he, *make them like a wheele*, *vers*: 13. that is, wavering and unstable in their actions: so as they may never bring their purposes to an end. Yea, make them abject and contemptible; like the chaffe

chaffe that the winde scattereth from the face of the earth: vers. 13.

Well, is he now satisfied? No. All this doth but whet his spirits to sharper imprecations. He now desireth that the very fould gates of Gods wrath may be broken open upon them; and that the tempest of his indignation may rage at full against them: now he crieth out to God to consume them without mercy, yea, and that in two terrible manners. One naturally, *As the fire burneth up the wood* The other miraculously, *As the flame consumeth the mountaines: vers. 14.* Persecute them even so (saith he) with thy tempest, and make them afraid with thy storme. Make their faces ashamed, O Lord, that they may seeke thy name. Let them be confounded and vexed ever more and more, let them be put to shame and perish. vers. 15, 16, 17. How should the wit of man discover and prosecute a sin in more vehement and horrible manner? Or, what shall make us to abstaine from such haughty sinnes, if all this prevaile not? Well, if to take the houses of God into possession be thus, take them that will for me.

You see how *David* in this his sacred fury, was admirably carried against this sinne. Well therefore might he say: *The zeale of thine house hath eaten me up, Psal. 69. 9.* Yet, he spake it not of himselfe alone: but in the person also of our Saviour *Jesus Christ*; who in prosecution of *Dauids* zeale, did that in this case, that he never did at any time else in all his life. In all other cases he shewed himselfe like the Paschall Lambe, that every body did eate and devour at pleasure; and like the sheepe that was dumbe before the shearer, even when his very life was taken from him. But when he saw the golden fleece to be taken from the house of God: that is, when he saw the Church his beloved spouse, deprived and spoiled of the honour, reverence, duty and ornament, that belonged to her: Then, as *David* did, he groweth into a sacred fury; he leaveth the mildenesse of the Paschall Lambe, and taketh upon him the fiercenesse of the Lion of *Judah*. Then he beginneth to bestirre him, and to lay about him. He whippeth out them that prophaned it; driveth out their sheep and their oxen, though they were for the sacrifice, & overthroweth the tables of the money changers: *Joh. 2. 14.* He would by no means indure such trumpery to be in his Fathers house, nor his Fathers house to be made an house of Merchandise; but, much lesse then, that merchandise should be made of his Fathers house it selfe. O fearefull and most inhumane sinne! *horresco referens.*

The zeale of our Saviour to the house of God. And of the parts of the Temple.

Mat. 2. 13-17
Mar. 11. 17
Luke 19. 45

Numb. 18. 5.
Ebr. 9. 2, 3, 4,
5, &c.

^a Christ came to fulfill the Law, and not to breake it. Therefore (doubtlesse) he observed the rules thereof, and the quality of his Tribe. ^b See the forme of the Temple in Arias Montan. Antiquitat. Iudae. l. Ariel. and in the Geneva Bible, 1. King. cap. 6. and marke well both it, and the notes upon it; for I find them (above others) most agreeable to the Scriptures, and rely upon the figure of the Temple in *Adricomium* without good examination; for I perceive he hath misplaced some things therein. ^c See the note () among the notes aforesaid. ^d 2 Chron. 6. 13. * Stat. Ne Rectores prosteruant arbores in Cemiterio. † More of that matter and how farre the sanctification of the Temple is abolished or remaineth to our Churches.

But ere I depart from this place of Scripture; let mee note one thing more out of it, for the greater reverence of Churches: that although our Lord be here said, to have cast these things out of the Temple; yet, in truth, they were not in the Temple it selfe, but in the outward court or yard thereof. For within the inward parts of the Temple, (namely, the first, and second Tabernacles) did no man enter, but the *Levite Priests*; and of them also, none into the second Tabernacle, but the High Priest. Therefore, although our Saviour Christ were a Priest for ever after the order of *Melchisedeck*; yet because he was not a Priest of *Levi*; but of the Tribe of *Juda* (of which Tribe *Moses* spake nothing touching the Priesthood, *Heb. 7. 14*. I take it, that he never came within these parts of the Temple: nor where the sacrifice was, but frequented onely ^b *Atrium populi*, the outward Court from the Temple. For into this onely the people resorted, to worship, pray, and heare the word of God expounded, not pressing further towards the Temple; and in the midst whereof (the ^a brazen stage which *Solomon* prayed upon) was erected. Yet, this very place, this court, or outward yard, would not our Saviour permit to be prophaned, neither with market matters, nor with carrying so much as a burthen or vessell through it, *Mark. 11. 16*. For though it were not so *Leviticall*ly holy, as the Temple: yet it was dedicated to God, with the Temple: And taken often in the New Testament, for the Temple: as in the places before alleadged. And *Acts 3. 2, 3*. By which reason the very Church-yards themselves (being Dedicated with the Churches, and the principall soile thereof: * as an old Statute witnesseth) seeme also to have in them a certaine kind of *Sanctification*: and are not therefore to be abused to secular and base employments: as not onely the Ancient Fathers, by the Canons of the Church: but the pretent Lawes of the Land, have well provided for them.

10. But some will say, that the *sanctification* of the Temple was *Leviticall*, and therefore abolished, and not to be applied to our Churches. I answer, the Temple was sanctified unto three functions; which also had three severall places assigned to them. The first, belonged to the *Divine presence*; and had the custody of the *Holiest*

Types thereof; the Oracle, the Ark, the Mercy seat, &c. And was therefore called *Sanctum Sanctorum*, or the Holiest of all. The second, was for ceremoniall worship and atonement: namely, by sacrifice, oblations, and other Leviticall rites; the place thereof being the Sanctuary, (wherein were the Holy vessels) and the Court of Priests, where in the Altar of burnt sacrifice did stand. The third, was for simple worship, prayer, and doctrine, (without any pompe or ceremony;) and the place of this, was the outward Court, (called, * *Atrium porticus*, * 1 Chr. 4. 9. * *Solomons porch*;) which therefore had in it no Ceremoniall * 6. 12. * implement at all. * Acts 31. 1.

The two first of these functions, with the places belonging to them, were indeed particularly appropriate to the Law. For, they were Ceremoniall, Mysticall, Secret, Leviticall, Judaicall, and Temporall. Ceremoniall, as celebrated with much worldly pompe. Mysticall, as figurating some spirituall things. Secret; as either performed behind the Veile or Curtaine: or else sequestred and remote from the people. Leviticall; as committed onely to the administration of that Tribe. Judaicall; as ordained onely for the salvation of that people. And Temporall; as instituted onely for a season, and not to continue. But the Sanctification of the third function, and of the place thereto appointed, was directly contrary in all the points alleadged to the former two. First, (as I said before) it was for simple worship, Prayer, and Doctrine, which were there to be performed and delivered in all sincerity, without any ceremony or ceremoniall implement used therein. Secondly, there was no matter of mystery therein to be seene: but whatsoever was mystically in the Law, or the Prophets, was there expounded. Thirdly, nothing there was hidden or secret from the people, but acted wholly without the Veile, and publicly for every man. Fourthly, it was not appropriate to the Levites, but common alike to all the Tribes. Fifthly, not ordained for the Jewes particularly, but for all Nations in generall. And lastly, not to endure for a time, (as those other two of the Law) but to continue for ever: even after the Gentiles were called, as well as the Jewes: that is, during the time of the Gospell, as well as the Law. Therefore, saith God, by *Isayas* the Prophet, cap. 56. 7. *My house shall be called a house of Prayer, to all Nations*. He said not, an *House of Sacrifice* to all Nations: for the Sacrifice ended before the calling of the Gentiles, and so they could have no part thereof. Nor an *House of Prayer* for the

the *Jewes* onely, for then had the *Gentiles* (when they were called) beene likewise excluded But an *House of prayer to all Nations*, that is, *Jewes* and *Gentiles* indifferently: which therefore, must have relation to the times of the *Gospel*. And consequently, the *sanctification* of that house, and of that *function*, is also a *sanctification* of the Churches of the *Gospel*.

We read not therefore, that Christ reformed any thing in the other two functions of the *Temple*; for they were now, as at an end. But because this third function was for ever to continue to his Church, therefore he purgeth it of that that prophaned it; restoreth it (as he did marriage) to the originall sanctitie. And that the future world (which was the time of the *Gospel*) might better observe it, then the precedent, and the time of the Law had done; he reporteth & confirmeth the *decree*, whereby it was sanctified: *It is written*, saith he, (as producing the record and words of the foundation) *My house shall be called an house of prayer to all people*. He saith, *My House*, as excluding all other, from having any property therein; for, God will be Joynt-tenant with no man. And it shall be, *An house of prayer for all people*: that is, publicke for ever; not private, nor appropriate to any: nor a *denne of thieves*; that is, no place of Merchandise, or secular businesse, as Saint *Hierome* expoundeth it. It must not be an Impropriation; no man can, or may hold it in that kind.

The time also when our Saviour pronounced these words, is much to the purpose, as it seemeth to me. For it was after he had turned out the oxen and doves; that is, the things for the *Sacrifice*. As though he thereby taught us, that when the *Sacrificall* function of the *Temple* was ended, yet the *sanctification* thereof, to be an house of prayer, for ever remained.

Saint Paul
maintaineth
the reverence
of the Church.

1 Cor. 11. 12.

11. This doctrine of our Saviour, is continued unto us by Saint Paul: who seeing the *Corinthians* to profane the Church with eating and drinking in it: though much good might follow thereby, (being orderly done) as the increasing of amity, and the reliefe of the poore; yet because it was against the reverence of the place: he not onely reproveth them for it, demanding if they had not houses to eate and drinke in at home, but shewing them also (by shewing the danger they were falling into) he speaketh to them as with admiration: *Despise ye the Church of God?* As if he should say, is your religion now come unto that? or is that your Religion, *To despise the place that*

God

God hath sanctified unto himselfe; by making it, as Saint Hierome saith, *Triclinium epularum*, a banqueting house. God wondred in *Malachy*, that any should spoile their gods. And the Holy Ghost here wondereth, that any should despise the materiall Church: for so Saint Hierome expoundeth it. Thus both of them wonder at one and the same thing: that any man should be so irreligious, as to profane the reverence due unto God, and that that is his.

Comment. in
1 Cor. 11.

12. So precise theretore were the Ancient Fathers in this point, that, that meeke Saint of God, Saint *Augustine*, would by no meanes endure that any should use clamours, or dancing, within the verge of the Church. Yea, he termeth them, *Miserable and wretched men that did it*. And denounceth against them, that *If such came Christians to the Church, they went Pagans home*. But when the Church it selfe came to be abused! Oh, how Saint *Ambrose* taketh it, even against the Emperour himselfe, great *Valentinian* that required it for an *Arian*: O (saith he) let him aske that is mine, my lands, my goods, and whatsoever I possesse, I will not deny them; yet are they not mine, but belong to the poore. *Verum ea quæ divina sunt, &c.* saith he, but those things that are Gods, are not subject to the authority of the Emperour. If my lands (I say) be desired, enter them in Gods name; if my body, I will carry it him; if he will have me to prison, yea to death, it pleaseth me well; I will not defend my selfe with multitude of people, neither will I fly to the Altar, desiring my life; but with all my heart will dye for the Altars. And after, in speaking of the impious Souldiers: O that God (saith he) would turne their hands from violating the Church and then let them turne all their weapons upon me, and take their fill of my bloud. And many such excellent speeches he hath for the sanctity of the Church, and of the reverence due unto it, in his Oration, *De Basilicis tradendis*.

The zeale of
some of the Fa-
thers to the
Church.
Serm. de temp.
tem. 10. 234.

Ad Marcelli.
nam scirent
Epist. 33.

In fine eiusdem
Epist.

My purpose is to be short; I will not therefore now enter any further into the authorities of the Fathers, or meddle with the Councils and ancient Canons of the Church, which abound so in this kinde of zeale, and have established it (against the *Eustathians*, *Messalians*, and *Fratricelli*, * heretickes; and all other the enemies thereof) with so many examples, admonitions, exhortations, precepts, threatnings, curses, and excommunications: as it requireth a booke alone to re-
peate them.

* Heretickes
which contem-
ned Churches.

Sacriledge not
to be suffered in
the least things
Comm. in 2.
Cor. 11. 22.
Rom 9.
Ecclesi. 25. 27.

13. It seemeth a small thing to dance in the Church-yard, or to cate and drinke in the Church. But *sanctification* (saith *Hierome*, speaking on this matter) *consisteth also even in the small things*. Therefore *Ecclesiasticus* adviseth us, that *we give not the water passage, no not in a little*. For he that openeth the waters but a little, knoweth not how great a breach they will make at length. So is it to make an entrance into sinne, or to breake the reverence of holy things in trifles.

Therefore God punisheth severely the petty offenders in this kind: not *Corah* onely and his company, that invaded the high function of the Priesthood: but even him that gathered the stickes on the Sabbath day: *Numb. 15. 34.* And poore *Uzzah* himselfe (whom *David* so much lamented) that did, as it were, but stay the *Arke* from shaking, (*2 Sam. 6. 6.* and *1 Chron. 13. 9.*) and yet died for it, because his hand was not sanctified to that purpose.

An admonition
to them that
meddle with
holy things.

14. I conclude this point with the saying of *Salomon*, *Prov. 20. 25.* (and let all men consider it:) *It is a snare for a man to devoure that which is sanctified, and after the Vowes, to enquire.* A Snare hath three properties. *First*, to catch suddenly. *Secondly*, to hold surely. *Thirdly*, to destroy certainly. So was *Uzzah* taken ere he was aware: he did but touch the *Arke*, and presently he was catch't. King *Uzziah* did but meddle with the incense, and presently the *Leprousie* was on his face: *2 Chron. 26. 19.* *Jeroboam* did but stretch out his hand against the Prophet, and presently it withered: *1 King. 13. 4.* And as a man falleth suddenly into it: so is it as hard to get out. *Uzzah* died in it presently. *Uzziah* languished in it all his life, and then died in it also. *Corah*, *Dathan*, and *Abiram* were no sooner caught in this snare, but it held them so surely, as when all *Israel* else fled and escaped, they, and their companions (most miserable men) were detained in it, to their notorious destruction.

I might here take just occasion to remember what hath happened to many in this Kingdome, that became unfortunate after they meddled with Churches, and Church-livings. But I will runne into no particularities. Let those men, and those families, which are *unfortunate* (as we terme them) consider, whether themselves, their Fathers, or some of their Ancestors, have not beene fettered in this snare.

And let the *Proprietaries* of *Parsonages* also well consider these things.

things. For, if *Uzzah* died, that did but touch the Arke to save it: what shall become of them that stretch out their hands against Churches to destroy them? If the *stick-gatherer* was stoned for so small a prophanation of the *Sabbath*; what shall they looke for, that by destroying the Churches, destroy also the Sabbath it selfe, (in a manner) as taking away the place appointed to the publicke sanctification thereof: And if *Corah*, *Dathan*, and *Abiram*, offended so haينously, in meddling with the things of the Leviticall Priesthood, though they imployed them to the service of God: what have they to feare that usurpe the things of the Gospell, and pervert them wholly to their owne use, from the service of God? Yea, that pollute his Churches and houses of prayer to servile and base offices: leaving the Parishioners uncertainly provided of divine service, to the destruction both of the Priesthood it selfe, and of the service of God in generall?

15. But they will comfort themselves with this: that though the Churches be sanctified to some purpose, yet the sanctity thereof differeth from *Leviticall sanctification*: and that God doth not now kill any from heaven, for prophaning the things of the Gospell, as he did then, for prophaning the things of the law. I answer: The sanctity indeed of the one differeth from the sanctity of the other. For the *Leviticall* things were sanctified by the hand of man, to be matter of Ceremony; but the Churches of the Gospell are sanctified by our Saviour him selfe, to be houses of prayer. Not that prayer is to be used onely in these places, but that these places are onely to be used for prayer. And we must not presume that God sleepeth because he punisheth not (now as he did of old) the contemners of his worship. For as the law consisted in visible and temporall things, so the punishments therein were for the most part visible and temporall. But the Gospell concerneth things invisible and eternall, and therefore the punishments assigned therein, are for the most part invisible and eternall.

A summe answered.

16. They have also another comfort, and that is, that though these things were once Spirituall, now they are made temporall by the Lawes of *Dissolution*; and especially by the *Stat. of 32. H. 8. cap. 7.* It is true, that those Statutes apply divers Law-terms unto these things that properly belong to temporall inheritances: and that the Statute of *32 H. 8.* hath made them *demandable* by originall Writs, and hath given certaine reall actions; and other courses for

Another summe answered.

*Dissero, non as-
sero.*

*Term. Pas.
An. 7. Edw. 6.
Assise, fol. 83. b.*

*b Doct. & Sind.
cap. 6.*

*c See Aug. Ser.
de Temp.
Hostiens. and
most Cano-
nists.*

*Concilio Montisc.
2. cap. 50. Con-
cil. Mogunt. cap.
38. alias 10.*

&c.

*d Distines
ont choses
spirituall, &
de jure di-
vino: L. Evelsq;
de Winch. case,
fol. 45.*

*e Nescio quo facto sit; ut eadem templa periret. (viz. an. 68) post ereptas per Nabuc. & H. S. res tem-
plorum, stirps utraque regia extincta sit, imperium sublatum, & ad aliam gentem devolutum. Ul-
terum igitur speremus, Cyrum nostrum faculum regem (ni se ipsa dissidentia compeccit) restitu-
tioni etiam munus aliquando aggressurum.*

recovering and conveying of them in Temporall Courts: because Laymen could not in former times have sued for things of this nature in any Court of the Kingdome. But this proveth not the things themselves to be therefore temporall, (no more then that an English man is a French man, becaute he saileth in a French bot-
tome,) For upon the same reason the Statute giveth also other actions (for recovering of *tithes* and *offerings* withholder, &c.) in the Courts *spirituall*. They then that out of the one part of the Statute will have them temporall, are by the other part inforced to confesse them still *Spirituall*, and so to make them like a Centaure, *prolem bisformem*. It were very hard (in my understanding) to ground a point of so great consequence, upon subtlety of words, and ambiguous implications, without any expresse letter of Law to that purpose, especially, to make the Houses and offerings of God, *temporall* Inheritances. But I see it is a Law question in my Lord ^a Dier whether *tithes* be made Lay or Temporall, by any word in those Statutes. And therefore I must leave this point to my Masters of the Law, who have the key of this knowledge onely in their owne custody. Yet I thinke I may be so bold, as to say thus much out of their owne ^b bookes, that a Statute directly against the Law of God, is void. If then *Tithes* be things *spirituall*, and due *de jure divino*, as many great ^c Clearkes, Doctors, Fathers, some Councells, and (that ever honourable Judge and Oracle of Law) my Lord Coke himselfe in the second part of his ^d Reports, affirme them to be; I cannot see how humane lawes should make them *Temporall*. Of the same nature therefore that originally they were of, of the same nature doe I still hold them to continue: for *manente subiecto manet consecratio, manet dedicatio* Time, Place, and Persons, doe not change them, as I take it, in this case. ^e Nabuchodonozor tooke the holy vessels of the Temple, he carried them to Babylon, he kept them there all his life, and at last left them to his sonne and grandchildren: but all this while, the vessels still remained *holy*. Yea though they were come into the hands of those that were not tyed to the ceremonies of the law, and at length into the hands of them that had them by a lawfull succession from their Fathers and

Grandfathers: yet as soone as they beganne to abuse them to prophane uses; that very night *Belshazzar* himselfe died for it, the line of *Nabuchodonozar* (that tooke them from the Temple) was extinct, and the Kingdome translated to another Nation: *Dan. 5. 2.*

17 Happily also, *Lay Appropriaries* comfort themselves, that they may hold these things by example of Colledges, Deanes and Chapters, Bishops of the land, and of divers of our late Kings and Princes. Before I speake to this point, I take it by protestation, that I have no heart to make an Apology for it. For I wish that every man might drinke the water of his owne well, eate the milke of his owne flocke, and live by the fruit of his owne vineyard. I meane that every member might attract no other nutriment, but that which is proper to it selfe. Yet are they greatly deceived, that draw any juice of encouragement from these examples. For all these are either the Seminaries of the Church, or the Husbandmen of the Church, or the Fathers and Nurses of the Church: all *de familia Ecclesia*, and consequently, belonging to the care of the Church, and ought therefore to be sustained by it: for Saint *Paul* saith: *He that provideth not for his owne, and namely for them of his house-hould, he denieth the faith, and is worse then an Infidel: 1. Tim. 5. 8.* Therefore before the statutes of suppression of Abbies, those that were not meere Ecclesiasticall persons, yet if they were mixt, or had Ecclesiasticall Jurisdiction, they might by the Lawes of the Land, participate Ecclesiasticall livings, and *Tithes* particularly. And this seemeth to take some ground out of the word of God. For the provinciall *Levites* (as I may terme them) whom *David* severed from the Temple, and placed abroad in the Countrey to be rulers of the People, in matters pertaining to God, and the Kings businesse, (that is, *Spiritually and Temporally*;) had their portions of *Tithes* notwithstanding, as well as the other *Levites* that ministred in the Temple. Now, that the King is *Persona mixta*, endowed as well with Ecclesiasticall authority, as with temporall, Is not only a solid position of the common Law of the Land, but confirmed unto us by the continuall practice of our ancient Kings, ever since, and before the Conquest, even in hottest times of Popish fervency. For this cause at their Coronations, they are not onely Crowned with the Diadem of the Kingdome,

A third surmise answered.

a All Church revenues were at first paid to Bishop, and by them distributed to the P.ells, poore, &c. after the Bishops were to have a fourth part of all tithes. per Conc. Aurelian. Mogunt. Tribu. Habet: &c. Et per Conc. Tarracon. the third part.

b Plowd. in Qua e imp:

Gr. and L. Cooke Report. part. 5. fol. 15. c. 1 Chr. 26. 30, 32. d See Plowd. in Quar. Imp. Gr. and L. Cooke de Jure Regni Eccles. part. 5.

e Reges sacro-
ileo uncti sunt,
spiritualis ju-
ridictionis ca-
pices 33. Et 3.
vir. Aide de Ry
1003. Ex Dom.
Cooke Repor.
par. 5.
d Dalmatic vest
vestis quæ modo
utuntur omnes
diaconi ex con-
suetudine in so-
lemnitatibus.
u 70 dist. n. de
jejunio. Anti-
quus tamen,
sine concessione
papa, nec Episc.
capis, nec Dia-
coni licebat uti
hac veste. Di-
stinct. 23. cap.
Omnes filios,
Præteus.
e 22. Edw. 3. lib.
Assis. plac. 75.
L. Cooke par. 5.
fol. 15. a.
f As'nglemood
C. c. ut patet an
a 81 Edw. 1. in
ver petitiones
coram Domino
Rege ad Parli-
amentum.

and girt with the sword of Justice, to signifie their Temporall au-
thority, but are anoynted also with the oyle of Priesthood, and
clothed, *Stola Sacerdotali*, and veste *Dalmaticâ*, to demonstrate
this their Ecclesiasticall jurisdiction, whereby the King is said in
the Law to be *Supremus Ordinarius*, and in regard thereof, amongst
other Ecclesiasticall rights and prerogatives belonging unto him,
is to have all the *Tithes* (through the Kingdome) in places that
are out of any Parish, for some such there be, and namely, divers
Forrests. But for all this: O! that his Majestie would be pleased
to remember *Sion* in this point.

18* I grow too tedious, yet before I close up this discourse, let
me say one thing more to the *Proprietaries* of Churches, that
happily they hiterto have not dreamed of. And that is, that by
having these Parsonages, they are charged with Cure of soules,
and make themselves subject to the Burthen that lieth so heavily
upon the head of every Minister: to see the service of God per-
formed, the People instructed, and the poore releived. For to
these three ends and the maintenance of Ministers, were parsonages
instituted, as not onely the Canons of the Church, but the bookes
of the Law, and particularly the Statutes of 15. R. 2. cap. 6. And
4. H. 4. ca. 12. do manifestly testifie. And no man may have them
but to these purposes, neither were they otherwise in the hands of
Monasticall persons, nor otherwise given to the King by the Statute
of dissolution, then^a in as large and ample manner as the governours
of those Religious houses had them, nor by him conveyed otherwise
to the Subjects. For, *Nemo potest plus juris in alium transferre,*
quàm ipse habet: No man may grant a greater right unto another, then
he hath himselfe. And therefore goe where they will, *transcunt*
cum onere, they carry their charge with them, Upon these reasons
Proprietaries are still said to be Parsons of their Churches, and
upon the matter, are as the incumbents^c thereof, and the Chur-

* The danger that Proprietaries of Parsonages stand in. a See the extent of these words in L. Cooke
part. 2. fol. 49. And no e also that Parsonages appropriate^d are not mentioned in that Statute of
27 H. 8. and the word (*tithe*) there seemeth to be meant of *tithes* belonging to the bodies of the
Monasteries; not of Parsonage *tithes*. *Ideo quare* how the King had them before the Statute of 31.
Edward. 6. b parson impersonae. c For the Monasticall persons and Prioresses themselves that
could not performe the divine service, were notwithstanding the Incumbents of their Churches: and
by Proprietaries claiming under their right ought also to be subject to the same burthens.

ches by reason of this their incumbency, are full and not void. For otherwise the Bishop might collate, or the King present a Clerke (as to other Churches) as it seemeth by the arguments of the Judges in the case betweene *Grendon* and the Bishop of *Lincolne* in *Master Plowdens Comment.* where it is also shewed, that the Incumbencie is a * spirituall function, and ought not to be conferred upon any but spirituall persons, and such as may themselves doe the divine Service, and minister the Sacraments. Therefore *Dier* L. Cheife Justice of the Common Pleas, there said, that it was an horrible thing, when these Appropriations were made to Prioresse and houses of Nunnes, because that (although they were religious persons, yet) they could not minister the Sacraments and divine Service. Implying by this speech of his, that it was much more horrible for Lay-men to hold them, that neither could do these holy rites nor were so much as spirituall persons to give them colour for holding of spirituall things. Therefore he that enlarged the *Terms of* (first set forth by *John Rastall*) also termeth it a *Wicked thing* complaining (in his time) that it continued so long, to the *Hinderance* (he saith) of learning, the impoverishing of the Ministry, and to the infamy of the Gospell, and professors thereof.

d There is yet no expresse law made to take away the Bishops jurisdiction over Churches appropriate, (that I can find,) Ideo quare how it extendeth. * See *Dier Trin.* 36. H 8. fol. 38. pl: 8.

* Termes of the Law in verbo Appropriation.

My Lord Cooke also in the second part of his Reports, saith, that it is recorded in History, that there were (amongst other) two greivous persecutions, the one under *Dioclesian*; the other under *Julian*, named *Apostata*: for it is recorded, that the one of them intending to have rooted out all the Professors and Preachers of the word of God, *Occidit omnes Presbyteros*. But this notwithstanding, Religion flourished, for *Sanguis Martyrum est semen Ecclesie*: The blood of the Martyrs is the seed of the Church; and this was a cruell and greivous persecution, but the persecution under the other, was more greivous and dangerous, *Quia* (as the History saith) *ipse occidit Presbyterium*. He destroyed the very order of Priesthood. For he robbed the Church, and spoyled spirituall persons of their revenues, and tooke all things from them whereof they should live. And upon this in short time, insued great ignorance of true religion, and the service of God, and thereby great decay of Christian profession. For none will apply themselves or their sonnes, or any other that they have in charge, to the study of Divinity, when after long and painefull study, they shall have nothing.

Levesque de Winchester case, fol. 44. b.

a *Diocles. vide Euseb. hist. eccl. lib: 7. cap: 3. Niceph. lib: 7. cap: 3.*

b *Jul. vide Theod. hist. lib: 3. cap: 6. Niceph. lib: 10. cap: 5.*

thing whereupon to live. Thus farre my Lord Cooke.

I alledge these legall authorities, and leave Divinity, because the *Appropriaries* of Parsonages (which sheild themselves under the target of the Law) may see the opinion of the great Lawyers of our owne time and Religion, and what the bookes of the Law have of this matter, to the end, that we should not hang our consciences upon so dangerous a pinne, nor put too great confidence in the equity of Lawes, which we dayly see, are full of imperfection, often mended, often altered, and often repealed. O how lamentable then is the case of a poore *Proprietarie*, that dying, thinketh of no other account, but of that touching his *Lay vocation*, and then coming before the judgement seat of Almighty God, must answer also for this *spirituall function*, First why he meddled with it, not being called unto it. Then, why (* meddling with it) he did not the duty that belonged unto it, in seeing the Church carefully served, the Minister thereof sufficiently maintained, and the poore of the Parish faithfully releived. This I say, is the use whereto parsonages were given, and of this use we had notice before we purchased them: and therefore, not only by the lawes of God and the Church, but by the law of the Land, and the rules of the Chancery, (at this day observed in other cases) we ought onely to hold them to this use, and no other.

19 † It is not then a worke of bounty and benevolence to restore these appropriations to the Church, but of duty and necessity so to do. It is a worke of duty to give that unto God that is Gods, *Mat. 23.2.* And it is a worke of necessity towards the obtaining remission of these sinnes. For Saint *Augustine* saith, *Non remittetur peccatum, nisi restituatur ablatum cum restitui potest: The sinne shall not be forgiven, without restoring of that which is taken away, if it may be restored.*

It is a duty, justice, and necessity, to give them backe unto God. For if *Judas* (who was the first president of this sinne) were a thief as the holy Ghost termeth him, for imbeasling that which was committed unto him for the maintenance of Christ and his Disciples, that is of the Church: by the same reason, must it also be thee

service, yet a superiour care thereof resteth still upon the Parson himselfe, and the surplusage of the same belongeth to the poore, as appeareth by the whole body of Fathers, Doctors, Councils, &c.

† That it is not benevolence but duty to restore Church-livings. d *Ad Macedonium Epist.* 54. tom. 2. *Joh. 12.6.*

as is said in my L. Dier in the case of a common person, that the service or cure is a spirituall administration and cannot be leased, and that the service is not issuing out of the parsonage, but annexed unto the person 36.H.8. fol. 58.b. pl. 8

* Proprietaries which have Vicars endowed, thinke themselves thereby discharged: but though the Vicar be the parsons deputy to do the divine

very to withhold these things which were given for the maintenance of the Church and Ministers of Christ. And herein it is a degree above that sinne of *Judas*, as robbery is above theft; for *Judas* onely detained the money (delivered unto him) closely and secretly, but we and our fathers, have invaded Church-livings, and taken them (as it were by assault) even from the sacred body and person of the Church.

It is a great sinne to steale from our Neighbour; much greater (even sacriledge) to steale from God. If it were so heinous a fact in *Ananias* to withhold part of his owne goods, which he pretended he would give unto God, how much more is it in us, presumptuously to teave that from God, that others have already dedicated and delivered unto him. *Salomon* saith, *He that robbeth his Father and his Mother, and saith it is no sinne, is the companion of [a murderer, or] him that destroyeth.* But he that purloineth the things of God, robbeth his Father, and he that purloineth the things of the Church, robbeth his Mother. And therefore that man is a companion of the destroyer.

Prov. 28. 24.

The * Fathers, the Doctors, many great Councells, and ancient Lawes of the Church, command that things taken from the Church, should be restored. And the Church by her Preachers and Ministers continually entreateth, urgeth, and requireth all men to doe it. They therefore that doe it not, they refuse to heare the Church: And then our Saviour Christ, by his owne mouth, denounceth them^b to be as Heathens and Publicans, that is, excommunicate and prophane persons. *If he refuseth (saith our Saviour) to heare the Church also, let him be unto thee as a heathen man, and a publican, Mat. 18. 17.*

* Synod. 5. Rom.
218. Episcop.
An. 503. Conc.
Val. An. 855.
ca. 8. Conc. Rom.
100 Episc. An.
1063. Conc.
Rom. 5. Anno
1078. Conc. Va-
lent. An. 1388.
Conc. Oxon. Ge-
ne. Aug. Anno
1222.

It is a fearefull thing not to heare the Church, but much more, not to heare Christ himselfe; Christ hath given us a perpetuall law and Commandement, touching things belonging to God: *That we should give them to God.* If we breake this Law, we breake a greater Law then that of the *Medes*, and the *Persians*: and therefore marke what the Holy Ghost concludeth upon us: *Every person that shall not heare this Prophet (Christ Jesus) shall be destroyed out of the people. Act. 3. 23.*

a A strange
change: the Is-
raelites gave
their owne
goods to abound

dantly to the service of God, that *Moses* was forced to restraine them by proclamation: *Exod. 36.* but now nothing can move us to give God that which is his already. ^b *Qui sub nomine fidelium
gunt opera infidelium. Hieron. ibid.* ^c We think: the Church doth not command it till we make a Par-
liament law for it, but the law is made already by Christ himselfe. ^d *Dan. 6. 15.*

The conclusion
 2 Sam. 5. 11.
 Exod. 32. 31.

20. To conclude then, as the *Philistims* made hast to send home the Arke of God; and the *Egyptians* to ridde themselves of the people of God: so let us ply our selves to render unto God his Lands, and possessions with all speed. Otherwise, as he stricke the *Philistims* with *Emrods* secretly, and the *Egyptians* with manifold scourges openly; so onely himselfe knoweth, what he hath determined against us.

Cypr. Ser. 5. de
 laps. in fine.

And thus I end, with the saying of the blessed Saint Cyprian, *Nec teneri jam, nec amari Patrimonium debet, quo quis & deceptus & victus est.* We must now neither hold that Patrimony, or living, (no) nor so much as take pleasure therein, whereby a man is entrapped and brought to destruction. And with that other of the noble Saint

Lib. de Her. cit.
 per Isid.

Augustine; With what face canst thou expect an inheritance from Christ in Heaven, that defraudest Christ in thy inheritance here on Earth? Therefore

Mark. 12. 7.

Give unto *Cesar* the things that are *Cesars*, and unto God the things that are Gods.

FINIS.



An Epilogue.

Rardon me, good Reader, though I have neither satisfied thee, nor my selfe. in this little discourse. It is hard to bring a great vessell into a small creeke, an argument of many heads and branches, of much weight, variety and difficulty, into a few pages. It may be thou thinkest the volume bigge enough for the successe that Bookes of this nature are like to have. I reject not thy judgement, yet would I not have others thereby discouraged from pursuing this cause: for though Peter fished all night and got nothing, yet he made a great draught unlooked for) in the morning. He that directed that net, give a blessing to all our labours. For my owne part (if I catch but one fish) I shall thinke mine well bestowed. Howsoever, it shall content me, and I thanke God for it, that he hath girded me with so much strength as to strike one stroke (though a weake one) in his battell, and to cast one stone (though a small one) against the adversaries of his Church.

Some will say, I have used too much salt and vineger in this discourse; and that I have bent the great Artillery of Gods judgements and threatnings, upon a peice of too light importance. I would the consciences of men were such as oile and butter might supple them. But I see they are for the most part overgrowne with so hard a carnosity, as it requireth strong and potent corrosives to make an entrance into them. A Preacher may shake them now and then with a Sermon, as Paul did Felix: but when the thunder and lightning are ceased, they are (like Pharaoh) still where they were. Tea some have conscientias cauteriatas, as the Apostle termeth them, consciences seared with an hot Iron: so stupefied, that dead Lazarus may be raised, before they can be moved.

Act. 24. 26.
1 Tim. 4. 2.

* Psal. 80. 13. ed. But God knoweth the heart of man, and bringeth water out of the
Psal. 96. hard rocke; therefore though I have spoken this (at being jealous of the
cause) yet in charity I will hope better even of the hardest of them.
Onely let no man thinke it a light sinne. to keepe open the passage where
by the wilde boare (of Barbarisme) enters the Lords vineyard, and where
by God is deprived of the honour due to his name.

Aug. 16. 1613. Now at the parting, it may be thou desirest to know what successe
this my labour had with the Gentleman to whom I sent it. In truth
neither that I desired, nor that which I promised unto my selfe. For
(so it pleased God) that even the very day the messenger brought it
into Norfolke, the partie died. Otherwise I well hoped, not to have
shot this arrow in vaine. But because it then missed the marke at
which it was sent, (and many thought not fit to loose it;) I have now
let it flie at randome with some notes and alterations, as the difference
betweene private and publique things requireth: but still desiring that
I might further have shewed my minde in many passages hereof, (and
particularly touching tithes in quoto, and such parsonages as have
Vicarages well endowed) which without making almost a new worke
I could not doe; and therefore resting upon the courteous interpretation,
I leave it to thee, (for this time) as it is.

A SER.



A SERMON OF SAINT AUGUSTINES touching rendring of Tithes.

The occasion of this Sermon or Homily was ministred unto him by the time of the yeare, it being the 12 Sunday after Trinity, that is about the begining of Harvest. The Scripture that he fitteth unto it is the 10 of Luke. Where the Pharisee boasteth of his precise justice in pay- ment of Tithes. It is the 219 Sermon de Tempore: extant in the tenth volume of his workes, and there entituled:

De reddendis decimis.

BY the mercy of Christ (most beloved brethren:) the daies are now at hand, wherein we are to reape the fruits of the earth: and therefore giving thanks to God that bestoweth them, let us be mindfull to offer or rather to render backe unto him the tithes thereof. For God, that vouchsafeth to give us the whole, vouchsafeth also to require backe againe the tenth, not for his owne but for our benefit doubtlesse. For so hath he promised by his Prophet, saying: * *Bring all the Tithes into my Barnes, that there may be meate in my house; and trie me, saith the Lord, in this point, if I open not the windowes of Heaven unto you, and give you fruit without measure.* Lo, we have proved how Tithes are more profitable unto us, then to God. O foolish men! What hurt doth God command, that he should not deserve to be heard? For he saith thus: *The first fruits of the threshing floore, and of thy Wine. presse thou shalt not delay to offer unto me.* It it be a sinne, to delay the gi- ving; how much worse is it, not to give at all? And againe, he saith, *Honour the Lord thy God with thy just labours, and offer unto him of the fruits of thy righteousness, that thy barnes may be filled with wheat and thy presses abound with wine.* Thou doest not this, for God ha' mercy, that by and by shalt receive it againe with manifold increase. Perhaps thou wilt aske, who shall have profit by that, which God receiveth, to give presently backe againe? And also thou wilt aske,

Decret. 16.

Qua 1. cap. Decima.

Where you may see a great part of this Sermon cited for Augustines.

* Mala. 3. 10.

Exod. 22. 29.

16 Qua. 1. cap. decima.

Prov. 3. 9.

who shall have profit by that which is given to the poore? If thou beleevest, thy selfe shall have profit by it; but if thou doubtest, then thou hast lost it.

Tithes (*deare brethren*) are a tribute due unto the needy soules. Give therefore this tribute unto the poore, offer this sacrifice unto the Priests. If thou hast no Tithes of earthly fruits: yet whatsoever the Husbandman hath, whatsoever Art susteineth thee, it is Gods, and he requires Tithes, out of whatsoever thou livest by: whether it be Warfare, or Traffique, or any other Trade, give him the tithes. Some things we must pay for the ground we live on, and something for the use of our life it selfe. Yeild it therefore unto him (*O man*) regard of that which thou possessest: yeild it (*I say*) unto him, because he hath given thee thy birth: for thus saith the Lord: *Every man shall give the redemption of his soule, and there shall not be amongst them any diseases or mishaps.* Behold, thou hast in the holy Scriptures the cautions of the Lord, upon which he hath promised thee, that if thou give him thy Tithes, thou shalt not onely receive abundance of fruits, but health also of body. *Thy barnes* (saith he) *shall be filled with wheate, and thy presses shall abound with wine, and there shall be in them, neither diseases nor mishaps.* Seing then, by payment of Tithes, thou maist gaine to thy selfe both earthly and heavenly rewards: why doest thou defraud thy selfe of both these blessings together? Heare therefore, (*O thou zeale-lesse mortality.*) Thou knowest, that all things that thou usest are the Lords, and canst thou finde in thy heart, to lend him (that made all things) nothing backe of his owne? The Lord God needeth not any thing, neither demandeth he a reward of thee, but honour; he urgeth thee not to render any thing that is thine, and not his. It pleaseth him to require the first fruits, and the Tithes of thy goods, and canst thou deny them, (*O covetous wretch?*) What wouldst thou doe, if he tooke all the nine parts to himselfe, and left thee the tenth only? And this in truth he doth, when by with-holding his blessing of raine, the drought maketh thy thirsty Harvest to wither away: and when thy fruit, and thy vineyard are stricken with haile, or blasted with frost, where now is the plenty that thou so covetously didst reckon upon? The nine parts are taken from thee, because thou wouldst not give him the Tenth. That remains onely that thou refusdest to give, though the Lord required it. For this is a most just course, that the Lord holdeth

Exod. 30. 12.

Prov. 3. 10.

16 Quæ. 1. cap.
decime.

death, If thou wilt not give him the tenth, he will turne thee to the tenth. 16 Qua. 1. ca. decima.
 For it is written, saith he Lord, Inasmuch as the Tithe of your ground, the first fruits of your Land are with you: I have seene it, but you thought to deceive me: havocke and spoile shall be in your Treasurie, and in your houses. Thus thou shalt give that to the unmercifull Soldier, which thou wouldest not give to the Priest;

The Lord Almighty also saith; Turne unto me, that I may open unto you the windowes of Heaven, and that I may poure downe my blessing upon you; and I will not destroy the fruit of your Land, neither shall the vines of your field [or the trees of your orchards] wither away, [or be blasted] and all nations shall say, that you are a blessed people. God is alwaies ready to give his blessings. But the perversenesse of man alwaies hindreth him. For he would have God give him all things, and he will offer unto God nothing, of that whereof himselfe seemeth to be the owner. * What if God should say? The man that I made, is mine; the ground that thou tillest, is mine; the seed that thou sowest, is mine; the cattle that thou weariest in thy worke, are mine, the showers, the raine, and the gentle winds are mine: the heate of the Sunne, is mine; and since all the Elements whereby thou livest, are mine; thou that lendest onely thy hand, deservest onely the tithe, or tenth part. Yet because Almighty God doth mercifully feed us, he bestoweth upon the labourer a most liberall reward for his paines, and reserving onely the Tenth part unto himselfe, hath forgiven us all the rest.

* This place is cited as out of Aug: Conf. Triburij cap. 13. An. 895. and before that in concil Mogunt. p. 8. An. 874.

Ingratefull and perfidious deceiver, I speake to thee in the word of the Lord. Behold the yeare is now ended: give unto the Lord (that giveth the raine) his reward. Redeeme thy selfe O Man, whilst thou livest. Redeeme thou thy selfe whilst thou maist. Redeeme thy selfe (I say) whilst thou hast wherewith in thy hands. Redeeme thy selfe, lest if greedy death prevent thee, thou then lose both life and reward together. Thou hast no reason, to commit this matter over to thy wife, who happily will have another husband. Neither hast thou O woman any reason to leave this to thy husband, for his minde is on another wife. It is in vaine, to ty thy Parents or thy kinsfolke, to have care thereof: no man after thy death surely shall redeeme thee, because in thy life, thou wouldest not redeeme thy selfe. Now then, cast the burthen of covetousnesse from thy shoulders, despise that cruell Lady, who pressing thee downe with her intolerable

16 Qua. 1. ca.
decima.

tolerable yoke, suffereth thee not to receive the yoke of Christ. For as the yoke of covetousnesse presseth men downe into hell, so the yoke of Christ raiseth men up unto heaven. For *tithes* are required as a debt, and he that will not give them, invadeth another mans goods. And let him looke to it, for how many men soever die for hunger in the place where he liveth (not paying his *Tithes*) of the murdering of so many men shall he appeare guilty before the Tribunall seate of the eternall Judge, because he kept that backe to his owne use, that was committed to him by the Lord for the Poore.

* Promereri.

He therefore that either desireth to gaine a reward, or to obtaine a remission of his sinnes, let him pay his *tithe*, and be carefull to give almes to the poore, out of the other nine parts: but so notwithstanding, that whatsoever remaineth over and above moderate diet, and convenient apparell be not bestowed in riot and carnall pleasure, but laid up in the treasure of Heaven, by way of *Almes* to the poore. For whatsoever God hath given unto us more then we have need of, he hath not given it unto us particularly, but hath committed it over unto us to be distributed unto others: which if we dispose not accordingly, we spoile and rob them thereof. Thus saith Saint *Augustine*.

ERasmus in a generall censure of these Sermons *de Tempore*, noteth many of them not to be Saint *Augustines*: so also doth Master *Perkins*, and divers other learned men, who having examined them all particularly, and with great advisement, rejecting those that appeared to be adulterate or suspected, admit this notwithstanding as undoubted. And although *Bellarmino* seemeth to make a little question of it, yet he concludeth it to be, without doubt, an excellent worke: and either * Saint *Augustines* owne or some other ancient Fathers. But he saith, that many things are cited out of it as out of *Augustine in Decret. 16. q. 1.* And to cleare the matter further I finde that some parts hereof are alleadged under the name of *Augustine in Concil. Triburiens.* (which was in the yeare of our Lord 895.) cap. 13. And twenty yeare before that also, in *Concil. Moguntin. 1. cap. 8.* So that Antiquity it selfe, and divers Councils, accept it for *Augustines*.

* Forte non est
Augustini iste
sermo, tamen in
signis est sine dubio,
& antiqui
alicujus Patris,
nam inde tan-
quam ex Au-
gustino multa
sunt adscripta
in Decret. 16.
q. 1.
Bellarm. 1 b. de
clericis cap. 25.

I will not recite a great discourse to the effect of this Sermon among

mongst the workes of *Augustine* in the Treatise, *De rectitudine Christiane religionis*; because *Erasmus* judgeth that Treatise not to be *Augustines*. Yet seemeth it likewise to be some excellent mans, and of great antiquity. But if thou wouldest heare more what *Augustine* saith unto thee of this matter, take this for a farewell; *Ma-* Homil. 48. ex
jores nostri ideo copijs omnibus abundabant, quia Deo decima dabant, lib. 50.
& Casari censum rediebant: modo autem quia discessit devotio Dei, Ham. com. 10.
accessit indictio fisci. Nolumus partiri cum Deo decimas, modo autem
solum tollitur. Hoc tollit fiscus, quod non accipit Christus.

An Appendix by the Author.

I have beene often solicited within these two yeares, both to re-im-
 print this little Treatise, and also to publish a greater worke much of
 the same Argument. Some especiall reasons have made me unwilling to
 doe either. Not that I doe, aut clypeum abicere, aut causam detere-
 re: But I finde my arme too feeble for so great an attempt: and in mat-
 ters of such weight and consequence, a better oportunitie is to be expe-
 cted, then is yet afforded. I desire therefore not to be hastned herein,
 though he that published my Booke in Scotland (out of his zeale to the
 cause) taketh that for one of his * Motives. When I did first let it goe
 forth, I did it onely in covert manner: not thinking it worthy of the
 broad eye of the World, nor holding it fit to have that which was done
 in a corner, preached upon the house top: or that which passed privately
 betweene me and my friend, to fly (in this sort, at once, to both the Poles
 of the Monarchy. Hereupon I hitherto by entreaty with held it from
 a re-impression. But I being in the Country, and it being now to me
 as filius emancipatus, and out of my power: the Printer hath taken
 advantage of his liberty, and in my absence printed it againe with the
 former infirmities.

In his Epist.
 Dedicatory.

I wish, since it must needs be thus, that I had overrun it with a
 new hand, aswell to explaine it in some things, as to helpe and forti-
 fie it in other. For the Argument hath many adversaries, not of the
 Laity onely, but amongst the Church-men themselves. All are not
 pleased with this forme of * Maintenance: others are not satisfied how * Tithes;
 it is due. Some also conceive Scriptures in this manner, some in that:
 and where one is best pleased, there another findeth most exception.
 Thus he that cometh upon the Stage, is the Object and Subject of every
 mans opinion. Yet must I herein confesse my selfe beholding unto many:

for I understand that this small Essay hath given them good liking.

To satisfy all I labour not: but to the worthier sort I would performe what I could. Being therefore informed (about a yeare almost since) that some particular Divines of learning and judgement, (conceiving well of my Booke, supposed that I had departed from the ancient and moderne interpreters in applying the 12 verse of the 83 Psalm onely to the sanctified things of the Jewes, which (they said) was spoken of all their houses and Cities in generall. I did then unto them (as I thought it fit) reddere rationem & fidei & facti. And in like manner (because the booke goeth forth againe upon a new adventure, and may encounter with the like objections,) I held it now as necessary to add something unto it in that point being so materiall. Yet must I signifie unto you, that they which tooke that exception, accounted both my argument and whole discourse the stronger (notwithstanding) Ex consequente: as namely, that if it were so heinous a sinne to invade the temporall things of the Jewes, much more must it needs be to invade the spirituall. So that no man is either freed or eased by this suggestion, but rather the more ensnared and overwhelmed. Nevertheless (I understand) that which followeth, hath cleared this point unto them: and I hope so shall it also doe unto others (which separate not themselves from our Church) if cause require.



I Am not ignorant that many moderne and some Ancient Interpreters understand the body of the 83 Psalm of the taking of the houses and Cities of the Jewes in generall, not onely of the Temple and Synagogues, nor onely of the Cities of the Levites: for the very historicall texture of the Psalme discovers as much. But that branch of it, whereon I fastened my anchor, and where I chiefly insisted, namely the 12 verse, touching the taking of the houses of God in possession, (which indeed is the center of the Psalme: what interpretation soever it receiveth) most of them interpret it primarily and positively for the Temple, and Holy things, then per translationem for Hierusalem, and by consequence, for all Judaea, (and the people of God) in respect that they were there planted.

For though we following Genebrard, Calvin, and Arias Montanus, translate it literally, Take the houses of God in possession; yet the Septuagint and Greeke interpret it, *καταστροφήν τοῦ δειῶς*. And Hieronim

in the Latine Vulgar accordingly, *Sanctuarium Dei* in his other translation called *Hebraica veritas*, (which also agreeth with that elder, cited by *Lucius* in the primer ages of the Church) *Pulchritudinem Dei: Pellican, electissima*: all of them by such denominations, as are most proper to the Temple and holy things. And therefore the Church in all former ages and for the most part yet, also beyond the Seas, even in the reformed parts of Germany, retaineth that interpretation of *Sanctuarium Dei*, as best agreeing with the intent of the Hebrew, which *Hierome* in the Preface to his translation professeth confidently (by many witnesses) that he hath changed in nothing.

I alleadge all this, but to shew, that by what variety of words soever, the translators expresse the originall Hebrew, yet they all concur with this as the Fountaine and standard; that *prima intentione*, it aimeth at the holy things, though in *secunda* it be carried unto temporall.

Our selves also in our owne English translation, understand the houses of God, for places dedicated to the service of God. And therefore in the 9 verse of the 74 Psalme, where our Church Psalter saith, *burnt up all the houses of God in the Land*: the Geneva and the Kings Edition report it, *burnt up all the Synagogues of God in the Land*. So likewise in the 1 verse of the 84 Psal. *The dwellings of God* are expressely spoken of his *Tabernacles*, and holy habitations, not of his Temporall.

Yet doe I not deny; but (as I say) *Secunda intentione*, the words *Sanctuarium*, or houses of God, in the 83 Psalme are truly carried to all *Judea* and the people of God; howbeit *Hierome* noteth expressly no such matter upon it; neither could *Augustine* finde it in the literall or *historicall* sence of the text: and therefore he deduceth it to the people of God by way of *Tropology*, using the metaphor of *Saint Paul*, 1 Cor. 3. *Sanctuarium*: (saith he) *Templum dei sanctum est, quod estis vos*. And *Lyra* accordingly, *Sanctuarium id est* (saith he) *Hierusalem, in qua erat Templum Dei: & per consequens, terram Iudee, cujus metropolis erat Hierusalem*.

Arnobius likewise of the Antients taketh it first for the Temple and the holy vessell: then extensively, for the people and Land of *Israel*. As for *Cyprian*, *Origen*, *Tertullian*, *Ambrose*, *Chrysostome*, *Gregory*, they meddle not with it, that I can finde, nor *Hierome* otherwise then as I have mentioned.

But admit that at this day most doe expound it for the *Temporalities* of the *Jewes*, as well as for their *Leviticall* and *Sanctified* things; What doth this contradict my application of this *Psalm* against *Spoilers* of Churches? or wherein is my errour? I affirme the *Genus* of one of the *membra dividenda*, and they upon both. I upon one not *exclusive*, and they upon both *copulative*. Doe not they themselves affirme my assertion? Let *Schoolemen* be Judges. Yea doe they not justifie and enforce it? For if God loveth the gates of *Sion*, more then all the dwellings of *Jacob*, *Psal.* 87. 2. that is, the outward and petty things of his Church, more then all the stately temporalities of his Lay people, yea, if he loveth *Jacob* but for *Sion*, that is, the People but for the Church, then *Ex necessario consequente*, when the Prophet denounceth such heavy things against them, that menaced Gods Lay People, and their possessions, how much the rather, doth he it against such as with great fury and impiety afflict his more peculiar and chosen servants, his Clergy, his Levites, his first borne? Against those I say, that forbear not to violate the things more deare unto him: His Temple, his Oracle, his holy mysteries, that is, things belonging to his honour, and divine service, things & meanes, ordained to the propagation of his blessed word. For this is the consequence of destroying our Churches: this killeth the bird in the shell: & to a person offending in this nature, wrote I my Book.

By like reason, it may also be said, that this *Psalm* was framed against Heathens and Infidels, (which in open hostility assailed the Church and people of God with fire and sword) not against such as be our owne brethren, and of the family of the Church, though (in some sort) they doe injury unto it. I answer, that the *Ammonites* and *Moabites* were also of the kindred of *Israel*: yea, the *Edomites* and *Ismaelites*, of the lineage of *Abraham*, as well as the *Israelites* themselves: yet when they joined with them that sought the destruction of the Church, the curses of the Prophet went as freely and as fiercely against them, as the rest. So if our Church be spoiled by her brethren, her children, or kindred, the sentence is all one against them, as against Heathens and Infidels, yea, and that also more justly and deservedly by the judgement of the Prophet, who accounteth the treachery of a familiar friend much more intolerable, then the violence of an open Enemy, *Psal.* 55. 12.

But say I have erred (which indeed is too common with me, though it be *humannus*) and doth the more easily befall me, having

salute

saluted the *Schoole* of Divinity, onely a *large* and a *limine*: I am therefore ready with *Augustine* to put it amongst my retractations, if there be cause why. Yet (as he said of *Romulus*)

Sed tamen errorem quo teneatur habet.

For I am not the Author of this exposition, neither is it my owne weapon, but borrowed, and put into my hand by others of elder time. I confesse that as they which goe to battell, *whet their swords, and bend their bowes*: so I sharpened both the edge and the point of it to my purpose. For all *spirits* are not cast out by ordinary power, nor all humours perswaded by ordinary reason. Knowing therefore what was necessary in particular for the party to whom I wrote, I applied my selfe, & my pen to that particular necessity; yet, not with *Isaiah*, to seduce him by untruths, but as a faithfull *Micahiah*, to leave nothing untold that belonged to his danger.

1 R 22. 17.

See then what I have to defend my selfe withall, both of Ancient and later *Fathers* and *Doctours* of the Church: the first application (as I take it) that ever was made of this *Psalme*, was (onely to the purpose I alleadge it) by *Lucius* a devout *Bishop* of *Rome*, in the bloody age of the Primitive Church, about 225 yeares after Christ; of whom (to let passe *Cyprian*) *Bale*, a man of our owne, giveth this testimony; That he was a faithfull servant in the Lords house,—and *Epist. 1. 3. Epist.* enriched his Church with healthfull doctrine, and afterward being purified in the Lambes blood. he peirced the heavenly Paradise, being put to death at *Valentinians* commandement, Anno 225. This *Lucius* (as I noted in the margent of my Booke, pag. 39.) in an *Epistle* of his to the *Bishops* of *Gallia* and *Spaine*: having determined many things touching the Church, and somewhat also against *spoilers* and *defrauders* thereof (concluding them by the example of *Judas*, to be *theeves* and *sacrilegious* persons) he proceedeth with them in this manner: *De talibus, id est (saith he) qui facultates Ecclesia rapiunt, fraudant, & auferunt: Dominus comminans omnibus per prophetam loquitur, dicens: Domine, ne taceas tibi, ne files, &c.* Reciteing the whole 83 *Psalme* every word, as you may see, *Tom. 1. Concil. of Binius edition, pag. 180. col. 2.* See here p. 60.

I tooke this reverend Father and great Doctor of the Church, living in the purity of religion, in the times of persecution, and so neare the ages of the Apostles, to be a faithfull direction to my pen. Yet, lest he should seeme like a *Sparrow* alone on the house top, I will shew you the opinion of others in the after ages.

Petrus Damianus a *Cardinall*, whilest that title was rather a name of *Ministry*, then of *Dignity*, and long before it became mounted and purpurate, a *Starre* of his time, now almost 600 yeares old, understandeth this *Psalme* also of Church possessions, and dignities, and out of it doth vehemently confute the Chaplaines of *Duke Gothofred*, which held it no simony to buy Bishopricks and Priests places, so they paid nothing for the imposition of hands (an opinion too common at this day) and he applieth against them the interpretation of the names of the Heathen Princes there mentioned, and concludeth them to be *hereditario quodam jure Sanctuarii possessores*; as you may see in his *Speculo Mor.* l. 5. Ep. 13. ad *Capellan Gothof.*

Rupertus, who flourished about 500 yeares since; expoundeth *contra omnes Ecclesia hostes, falsos Christianos, hereticos, &c.*

Great *Hugo Cardinalis*, the first *Postillator* of the Bible, (who flourished *Anno* 1240. a little also, before that order was distinguished with the *Horse and Red Hat*, and a man to whom all the Preachers of Christendome are more beholding, then many of them are aware: for much of that good juice that sweetneth the expositions they read, dropt from his pen, though now like rivers falling into other channels, it hath lost his name) in his worthy Comment upon the *Psalter*, applyeth the words, *hereditate possideamus Sanctuarium Dei*, against those that ambitiously seeke Church living and dignities, despising the curses of this *Psalme*, as well among the great men of the Clergy as them of the *Laitie*, which by threatening or favour obtaine Ecclesiasticall promotions: and particularly against such men of the Church, as conferre Prebends and Dignities upon their Nephews and kindred, building (as he saith) *Sion* on (their) *blond*, and *Jerusalem* in iniquity. Neither spareth he the *Popes* themselves, but chargeth them also that they *possesse Gods Sanctuary*, by way of inheritance, in that they keepe the succession of the *Papacy* among such as be onely of the *Romane nation*. And much more to this purpose, which were here too long to recite: but (concluding that the Prophet hath levelled at them all in this *Psalme*) he saith, *De omnibus istis sequitur: Deus meus pone eos in rotam, &c.*

Joannes Vitalis (who lived above 300 yeares since, and for his fame and learning, was also called to be a *Cardinall*) e're that this dignity was yet at the highest pitch) vehemently enforceth this

Psalme against the great men that prey upon the Church, applying the interpretation of the names therein mentioned very bitterly unto them. And saith further, that they possesse the Sanctuary of God by inheritance, which enter into it unworthily, or in succession to their unckles, nephewes, and parents, and they also which give Benefices in that manner wasting thereby as it were Christs hereditary patrimonie; with much more to this effect, *Speculo moralit. Principes saculares. fol. 229. d.*

Nicolaus de Lyra, who flourished about the same time, our owne country man, (though of Jewish Parents) a starre also in that age of the first magnitude, for his Learning; and exquisite above all in the Hebrew, (it being his mother tongue, and elaborate by him) whose judgement I the rather esteeme, for that *Luther* loved him and preferred him above all interpreters, as *Luther* himselfe testifieth in the 2 and 9 chap. of *Genesis*. He (I say, as before I have noted) expoundeth it: first, and properly for the Temple (under which I understand all things dedicated unto God) then for *Ierusalem*, becaule (saith he) the Temple was there: and lastly by consequence (for that is his owne word) for the land of *Judaea*, whose chiefe City *Ierusalem* was. So that he maketh the Temple and things belonging to God, to be the maine part whereat the Prophet aimeth, and the Citie and Countrie to follow but by inference and implication.

Come to the later Writers, *Genebrard* noteth upon *Sanctuarium Dei*; that the Hebrew word is, *Habitacula*, and for the postill saith; *Generaliter de divinis omnibus templis, urbibus, locis, & oppidis populi Dei*. So that if he had beene questioned further; how he understood *Habitacula*, *specialiter*, it is then like he would have answered, *de divinis omnibus templis tantum*: that is, onely of Churches. But be it as it is, he setteth them in the first place, as the Proper signification, and the rest in consequence, as *analogicall*, according to *Augustine* and our Country man *Lyranus*.

As for *Luther*, he expoundeth not this *Psalme* himselfe, that I can finde; but you see what he attributeth to *Lyra's* judgement.

Pellicanus a great Hebrician, translateth it *Possideamus nobis electissima Dei*, and expoundeth it in like manner as before, *Templum, civitatem, vasa, populum Dei*.

Pomeranus interpreteth it of them that did seeke to make themselves Lords and heires of the Temple.

To conclude, because the newest things are most acceptable with many. The last man that hath written upon the *Psalter*, *Lorinus* a Jesuit, (and therefore I will not presse his authority) yet to do him right, very well esteemed amongst great Clarke of our owne Church for much good learning (though in matters of controversie, full enough of Romish leaven) reciteth somewhat more briefly the former interpretations of *Petrus Damianus*, *Hugo Cardinalis*, and *John Vitalis*, and approving those their applications, putteth them still on into the world, as truly consonant to the tenor of the *Psalme*, which notwithstanding I doubt not hath also many other expositions, as herbs have usually divers virtues and operations. But thus the eldest and newest expositors are wholly for me, many also (and of the best of them) of the middle ages, none that I know against me. For although *Musculus*, *Bucer*, *Calvin*, *Marlorat*, *Mollerus*, expound this *Psalme* historically of the Countre and Nation of the Jewes, yet when they applie it to the Church of Christ (as otherwise there were no use of it) they make that application by way of figure and analogy; And then is there no cause to raise an *antithesis*, or contrarietie betweene them and me. For to reconcile the matter, Saint *Hierome* in his entrance into the exposition of this *Psalme*, telleth us, that we may expound it figuratively of the Church (which I understand in matters of action, government, doctrine,) or historically of the people of the Jewes and nations about them. And though *Calvin* himselfe persweth for the most part the historical interpretation, yet when he commeth to the 12. verse, he saith; *Iterum accusat profanos homines sacrilegy, quod predatoriâ licentiâ involant in ipsam Dei hereditatem.*

Thus much, and too much touching this point. As it is said in the end of the *Macchabees*: *If I have done well, and as the story required, it is the thing that I desired: but if I have spoken slenderly and barely it is that I could.* Let no man therefore rely upon me, but learne of them that are bound to teach; For the *Priests* lips should preserve knowledge, and they should seeke the law at his mouth: for he is the messenger of the Lord of Hosts. *Mal. 2. 7.*

Other things there be, wherein I would willingly have enlarged my selfe a little: but as *Popilius* in *Livy* describing a circle about *Antiochus* enforced him to answer before he stept out of it. So the Printer (having printed all to the last sheet before I knew it) restraineth me, *ad articulum temporis*, within which accordingly I must needs end.